

Second Series, No.39

Friday, April 1, 1960
Chaitra 12, 1882 (Saka)

LOK SABHA DEBATES

**Tenth Session
(Second Lok Sabha)**



सत्यमेव जयते

**LOK SABHA SECRETARIAT
New Delhi**

CONTENTS

[Second Series, Volume XLI— March 21 to April 2, 1960/Chaitra 1 to 13, 1882 (Saka)]

COLUMNS

No. 31—Monday, March 21, 1960/Chaitra 1, 1882 (Saka)—

Oral Answers to Questions—

Starred Questions Nos. 959 to 961, 964, 967, 969 to 971, 974, 977 to 981 and 983	6903—39
Short Notice Question No. 10	6939—41

Written Answers to Questions—

Starred Questions Nos. 962, 963, 965, 966, 968, 972, 973, 975, 976, 982 and 984 to 996	6941—55
Unstarred Questions Nos. 1261 to 1307	6955—83
Obituary reference	6983—84
Motion for Adjournment—	
Sympathetic strike by Bank employees	6984—86
Statement <i>Re</i> : Chinese Prime Minister's visit to India	6986—87
Papers laid on the Table	6987—89
Estimates Committee—	
Seventy-second Report	6989 to
Calling Attention to Matter of Urgent Public Importance—	
Closure of textile factories in Ludhiana	6989—90
Demands for Grants—	
Ministry of Food and Agriculture	6990—714
Half-an-hour discussion <i>re</i> : employees' state insurance scheme	7143—46
Daily Digest	7157—

No. 32—Tuesday, March 22, 1960/Chaitra 2, 1882 (Saka)—

Oral Answers to Questions—

Starred Questions Nos. 997, 999, 1001, 1002, 1004 to 1006, 1008 to 1012, 1014 and 1015.	7163—7200
---	-----------

Written Answers to Questions—

Starred Questions Nos. 998, 1000, 1003, 1007, 1013 and 1016 to 1037	7201—16
Unstarred Questions Nos. 1308 to 1357	7216—46
Papers laid on the Table	7246—47
Report of Estimates Committee—	
Seventy-eighth Report	7247—48
Calling Attention to Matter of Urgent Public Importance—	
Closure of small-scale aluminium factories at Shahdara	7248
Demands for Grants	7249—7454
Ministry of Food and Agriculture	7249—7395
Ministry of Transport and Communications	7395—7454
Daily Digest	7455—60

No. 33—Wednesday, March 23, 1960/Chaitra 3, 1882 (Saka)—

Oral Answers to Questions—

Starred Questions Nos. 1038 to 1042, 1044 to 1047, 1050 to 1052 and 1054	7461—96
--	---------

Written Answers to Questions—

Starred Questions Nos. 1043, 1048, 1049, 1053 and 1055 to 1068	7497—7507
Unstarred Questions Nos. 1358 to 1406 and 1408 to 1411	7508—44

Re: Motion for Adjournment—

Happenings in South Africa	7545—50
--------------------------------------	---------

Papers laid on the Table	7551
------------------------------------	------

Committee on Private Members' Bills and Resolutions—

Sixtieth Report	7551
---------------------------	------

Demands for Grants—

Ministry of Transport and Communications	7551—7754
Daily Digest	7755—58

No. 34—Thursday, March 24, 1960/Chaitra 4, 1882 (Saka)—

Oral Answers to Questions—

Starred Questions Nos. 1069 to 1073 and 1075 to 1080	7759—93
--	---------

Written Answers to Questions—

Starred Questions Nos. 1074, 1081 to 1090 and 1092 to 1095	7793—7802
Unstarred Questions Nos. 1412 to 1450	7802—24

Calling Attention to Matter of Urgent Public Importance—

Plane crash near Banaras	7824—25
------------------------------------	---------

Papers laid on the Table	7825
------------------------------------	------

Estimates Committee—

Seventy-seventh Report	7826
----------------------------------	------

Demands for Grants	7826—8028
------------------------------	-----------

Ministry of Transport and Communications	7826—49
--	---------

Ministry of Home Affairs	7849—8028
------------------------------------	-----------

Daily Digest	8029—32
------------------------	---------

No. 35—Friday, March 25, 1960/Chaitra 5, 1882 (Saka)—

Oral Answers to Questions—

Starred Questions Nos. 1096 to 1098, 1100, 1116, 1119, 1101, 1103 to 1107, 1114, 1115 to 1118	8032—some from day
---	--------------------

Written Answers to Questions—

Starred Questions Nos. 1099, 1102 and 1108 to 1113	8072—76
--	---------

Unstarred Questions Nos. 1451 to 1485	8077—98
---	---------

Re-Firing in Langa township South Africa	8098—99
--	---------

Papers laid on the Table	8099—8102
------------------------------------	-----------

Business of the House	8102—03
---------------------------------	---------

Demands for Grants—

Ministry of Home Affairs	8103—8202
------------------------------------	-----------

Committee on Private Members' Bills and Resolutions—

Sixtieth Report	8202—03
---------------------------	---------

Resolution re: Renaming of Andaman and Nicobar Islands—withdrawn	8203—17
--	---------

Resolution re: Development of Backward Areas in the Third Five Year Plan	8217—80
--	---------

Daily Digest	8281—86
------------------------	---------

No. 36—Monday, March 28, 1960/Chaitra 8, 1882 (Saka)—

Oral Answers to Questions—

Starred Questions Nos. 1120 to 1123, 1129, 1126, 1132, 1134, 1137, to 1140,
1142, 1143, 1145, and 1146 8287—8326

Written Answers to Questions—

Starred Questions Nos. 1124, 1125, 1127, 1128, 1130, 1131, 1133, 1135, 1136,
1141 and 1144. 8326—32

Unstarred Questions Nos. 1486 to 1541 8332—66

Point of personal explanation 8366—68

Papers laid on the Table 8368—69

Estimates Committee—

Seventy-ninth Report 8369

Public Accounts Committee—

Twenty-fifth Report 8369

Legal Practitioners Bill—

Report of Joint Committee 8369—70

Election to Committee—

National Food and Agriculture Organisation Liaison Committee 8370

Bills introduced 8371—72

1. Bombay Reorganisation Bill 8371—72

2. Religious Trusts Bill 8372

Resolution re: Police Firing in South Africa 8372—8402

Demands for Grants—

Ministry of Scientific Research and Cultural Affairs 8403—8550

Daily Digest 8551—56

No. 37—Wednesday, March 30, 1960/Chaitra 10, 1882 (Saka)—

Oral Answers to Questions—

Starred Questions Nos. 1147 to 1149, 1151 to 1155, 1157 to 1160
and 1162 to 1164 8557—94

Written Answers to Questions—

Starred Questions Nos. 1150, 1156, 1161 and 1165 to 1183 8594—8604

Unstarred Questions Nos. 1542 to 1584 and 1586 to 1604 8605—38

Re: Point of personal explanation 8638—40, 8641—42

Paper laid on the Table 8640—41

Committee on Private Members' Bills and Resolutions—

Sixty-first Report 8642

Estimates Committee—

Eighty-first Report 8642

Statement re: Indo-Pakistan Financial discussions 8643—44

Demands for Grants—

Ministry of Commerce and Industry 8644—8815

Half-an-hour discussion re: Indian Institute of Public Administration 8815—34

Daily Digest 8835—40

No. 38—Thursday, March 31, 1960/Chaitra 11, 1882 (Saka)—

Oral Answers to Questions—

Starred Questions Nos. 1184 to 1186 1188 to 1191, 1193 to 1197 and 1204 8841—80

Written Answers to Questions—

Starred Questions Nos. 1187, 1192, 1198 to 1203 and 1205 to 1215 8880—93

Unstarred Questions Nos. 1605 to 1649 and 1651 8893—8920

Papers laid on the Table 8920—22

President's assent to Bills 8922

Public Accounts Committee

Twenty-sixth Report 8923

Estimates Committee—

Seventy-fourth Report 8923

Committee on Absence of Members from the Sitzings of the House

Nineteenth Report 8923

Calling Attention to Matter of Urgent Public Importance—

Steel plant at Bokaro 8923—25

Demands for Grants—

Ministry of Commerce and Industry 8925—55

Suspension of Rule 8955—61

Bombay Reorganisation Bill 8961—9024

Motion to refer to Joint Committee 8961—9024

Daily Digest 9025—30

No. 39—Friday, April 1, 1960/Chaitra 12, 1882 (Saka)—

Oral Answers to Questions—

Starred Questions Nos. 1216 to 1225, 1227, 1229 and 1231 to 1234 9031—69

Written Answers to Questions—

Starred Questions Nos. 1226, 1228, and 1235 to 1242 9070—75

Unstarred Questions Nos. 1652 to 1685. 9075—9100

Papers laid on the Table 9100—01

Calling Attention to Matter of Urgent Public Importance—

Obstruction to Scheduled Caste people 9101—02

Correction of Answers to Starred Question No. 348 9102

Bombay Reorganisation Bill 9102—86

Motion to refer to Joint Committee 9102—86

Committee on Private Members' Bills and Resolutions—

Sixty-first Report 9186

Contempt of Court Bill by Shri B. Das Gupta—Introduced 9187

Representation of the People (Amendment) Bill (Amendment of Section 73)—

Withdrawn 9187—9218

Motion to consider 9187—9218

Catholic Church Premises and Ecclesiastic Order (Restriction of political

Activity) Bill 9218—56

Motion to consider 9218—56

Daily Digest 9257—60

No. 40—Saturday, April 2, 1960/Chaitra 13, 1882 (Saka)—

Oral Answers to Questions—

Starred Questions Nos. 1244, 1246, 1247, 1249 to 1251, 1254 to 1256, 1258, 1260 and 1261. 9261—94

Written Answers to Questions—

Starred Questions Nos. 1243, 1245, 1248, 1252, 1253, 1257, 1259 and 1262 to 1266. 9294—9301

Unstarred Questions Nos. 1686 to 1710 and 1712 to 1716 9301—20

Re: Motion for Adjournment—

Second French atomic test in the Sahara 9320—22

Papers laid on the Table 9322

Calling Attention to Matter of Urgent Public Importance—

Looting of motor tyres from a goods train 9323—27

Business of the House 9327

Demands for Grants—

Ministry of Community Development and Co-operation 9327—9483

Daily Digest 9485—88

Consolidated contents [March 21 to April 2, 1960/Chaitra 1 to 13, 1882 (Saka)]. (i—v)

N.B.—The Sign + marked above a name of a Member on Questions, which were orally answered indicates that the Question was actually asked on the floor of the House by that Member

LOK SABHA

Friday, April 1, 1960/Chaitra 12,
1882 (Saka)

*The Lok Sabha met at Eleven of the
Clock,*

[MR. SPEAKER in the Chair]

ORAL ANSWERS TO QUESTIONS

Balimela Project in Orissa

††

*1216. { Shri Sanganna:
 { Shri S. C. Samanta:

Will the Minister of Irrigation and Power be pleased to refer to the reply given to Unstarred Question No. 1894 on the 21st December, 1959 and state:

(a) whether any financial assistance has been asked for the Balimela Project by the Government of Orissa;

(b) if so, to what extent; and

(c) what is the reaction of Government thereto?

The Deputy Minister of Irrigation and Power (Shri Hathi): (a) No, Sir.

(b) and (c). Do not arise.

Shri Sanganna: May I know whether the Upper Sileru project is inter-dependent upon the Balimela project in the sense that if one proves to be more economical, the other project will be abandoned?

Shri Hathi: No. Both can go on simultaneously. There will be no difficulty, if one is taken up, for the other.

Shri Sanganna: What is the estimated cost of this project and have the estimates and plans been received from the Government of Orissa by the Centre?

Shri Hathi: We have got the project report. The estimated cost is nearly Rs. 37.48 crores.

Shri S. C. Samanta: Last time we were informed that the CWPC would investigate and come to a figure. Is this estimate according to that?

Shri Hathi: An estimate has been prepared and I have given the figure.

Shri S. C. Samanta: How far has the investigation proceeded?

Shri Hathi: The project report has been received and that is under examination.

Shri Surendranath Dwivedy: I want to know whether, when the project report was prepared, any assistance was given by the CWPC to the Government of Orissa?

Shri Hathi: I am not quite sure but when the project report is received we will examine in the CWPC and if there is any technical point, advice will be given.

Shri Sanganna: May I know whether this project has been included in the Second Plan and if it is incomplete, it will be carried over to the Third Plan?

Shri Hathi: The project is not included in the Second Plan.

Water Supply to Greater Calcutta

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*1217. { Shri S. C. Samanta:
 { Shri Subodh Hansda:
 { Shri Ram Krishan Gupta:
 { Shrimati Renu Chakravartty:

Will the Minister of Health be pleased to refer to the reply given to Starred Question No. 933 on the 16th December, 1959, and state:

(a) whether the W.H.O. team assisted by some Indian Experts have finished their study about Greater Calcutta's water supply and drainage problems;

(b) if so, what are their recommendations;

(c) what would be the financial implication for the solution of the problems; and

(d) how that will be met?

The Minister of Health (Shri Karmarkar): (a) Yes, Sir.

(b) A statement is laid on the Table of the Sabha. [See Appendix III, annexure No. 34].

(c) The financial implication has not been worked out as yet.

(b) The matter will be considered when the financial implication is worked out.

Shri S. C. Samanta: I do not find anything in the statement to prevent the saline water which is present for more than three months in a year in the Hooghly river. May I know whether that will also be taken up?

Shri Karmarkar: That has been dealt with at part (c). If my hon. friend reads the whole statement and more carefully, he will find it at (c).

Shri Hem Barua: In view of the fact that Calcutta's requirement is 300 million gallons of water per day and a much smaller quantity is supplied at present, may I know what positive steps have the Government taken to overcome this shortage?

Shri Karmarkar: It is for the Government of Bengal and the Calcutta Municipal Corporation to take steps. We are trying to help them.

Shri Sadhan Gupta: Who is considering the financial implications of the plan and by what time will the consideration be completed?

Shri Karmarkar: As my hon. friend doubtless knows, the Calcutta Corporation and the Bengal Government are very eager about it. I think they should not take a long time to make an estimate of the finances required. It may take a longer time to furnish the financial help that is necessary.

Shri Sadhan Gupta: May I know whether the interim actions recommended will also be held up pending consideration of the financial implications or whether interim action can be started now or shortly?

Shri Karmarkar: Interim action should start earlier than the permanent action. But on both the points, I should like to have notice regarding time.

Shri Raghunath Singh: Statement (c), referred to by the hon. Minister says that unless fresh water comes into Hooghly river, there is no possibility of the supply of drinking water in Calcutta. From where will fresh water come to the Hooghly river?

Shri Karmarkar: My hon. friend has attracted the attention of the House to statement (c). Fresh water supply will come obviously from sources from which fresh water supply can be had: either from the tubewells or rain water or things like that. If he wants the exact geography of the thing, I shall study it and on notice, we shall be able to give an answer.

Shri Raghunath Singh: As far as Hooghly is concerned, these sources are not open..... (Interruptions).

Shri Karmarkar: That may be a fact at present but for the future they are trying to probe the possibility of having fresh water supplies....

Shri Tyagi: By that time, they will die of thirst.

Shri Karmarkar: I do not know what will happen to us all by that time. We are trying to do our best.

Shri Subodh Hansda: What steps have the Government taken for the elimination of unfiltered water supply in the city?

Shri Karmarkar: There is a lot of unfiltered water and the whole of this programme is with a view to give good water to the Calcutta city. I wish that my hon. friend studies that statement.

Shri M. B. Thakore: May I know from the hon. Minister whether the water from the tube wells in some areas of Calcutta is also salty?

Shri Karmarkar: That is my information also.

Mr. Speaker: It is only for the purpose of finding out if the Central Government bears any portion of this expenditure that I have allowed this question. All corporations of cities, towns, municipalities, etc. are primarily the concern of the State. We are going into such details here as if the hon. Minister is responsible for blackish water or saline water wherever it is. It is their business to look into it. I am surprised at this. Shall we convert this into the Legislative Assembly of Calcutta?

Shri Hem Barua: The West Bengal Government and the Calcutta Corporation have asked for financial assistance from the Central Government.

Mr. Speaker: That is all right. Then the question ought not to be put to the hon. Minister here as to how he is going to filter this water.

Shri S. C. Samanta: Is the Health Ministry aware that many experts appointed by the Central Government gave the verdict that Ganga Barrage is the only solution and one expert has said that water may be brought from the Damodar Valley areas?

Shri Karmarkar: I should like to have notice for that. But recently, the W.H.O. team visited that area and they have made some suggestions.

Western Jamuna Canal in Delhi

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*1218. { **Shri D. C. Sharma:**
 Shri Ram Krishan Gupta:

Will the Minister of Irrigation and Power be pleased to refer to the reply given to Starred Question No. 578 on the 3rd December, 1959 and state:

(a) whether the project report on the Western Jamuna Canal in Delhi has since been received in the Central

Water and Power Commission for technical scrutiny; and

(b) if so, the action taken thereon?

The Deputy Minister of Irrigation and Power (Shri Hathi): (a) No, Sir.

(b) Does not arise.

Shri D. C. Sharma: May I know when this project report will be available?

Shri Hathi: I cannot say; it will depend upon when the Punjab Government sends it.

Shri D. C. Sharma: May I know whether this is going to be discussed between the Punjab Government, the Delhi Administration, the U.P. Government and the Central Government and if so what steps have been taken to expedite the study of this project report by all these different bodies?

Shri Hathi: The report will be prepared by the Punjab Government. On receipt of that, it will be discussed with the other State Governments as mentioned by the hon. Member.

Shri D. C. Sharma: How long has the Punjab Government taken to prepare this project report and what steps have been taken by the Government in order to expedite this project?

Shri Hathi: We have written to the Punjab Government to expedite the project report.

Panel of Engineers for Irrigation and Power Projects

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*1219. { **Shri Subodh Hanada:**
 Shri R. C. Majhi:
 Shri S. C. Samanta:

Will the Minister of Irrigation and Power be pleased to state:

(a) whether the proposal for constituting a panel of outstanding Engineers for consultation on problems pertaining to irrigation and power projects has been finalised;

(b) if so, whether the panel has been prepared; and

(c) the total number of Engineers listed in the panel?

The Deputy Minister of Irrigation and Power (Shri Hathi): (a) and (b). Yes, Sir.

(c) Four.

Shri Subodh Hansda: What is the procedure adopted by the Government for the selection of engineers?

Shri Hathi: We generally consult the State Governments, the CWPC and the engineers and experts who are available and who have vast experience in irrigation and power projects. They are constituting a panel.

Shri Subodh Hansda: May I know whether experts who have retired from Government service and who have long-standing experience in irrigation works will also be taken in this panel?

Shri Hathi: Yes, Sir; officers retired from the service of Government of India and State Governments also will be considered.

Shri S. C. Samanta: May I know whether private consultant engineers on the subject are also taken into confidence?

Shri Hathi: Yes, Sir, they are also being considered.

श्री कुशवन्त राय : क्या मैं जान सकता हूँ कि इस पैनल में जो इंजीनियर रखे गये हैं, उन के नाम क्या हैं ?

अध्यक्ष महोदय : सब नाम ?

श्री कुशवन्त राय : श्रीमन्, सिर्फ चार नाम हैं। माननीय मंत्री बता दें।

Shri Hathi: The names are: Sarvaswari N. N. Iengar, Dildar Hussain, Mr. Narasimhaiah and S. D. Khungar.

श्री कुशवन्त राय : क्या मैं जान सकता हूँ कि ये वही लोग हैं, जो मिनिस्ट्री आफ इरिगेशन एण्ड पावर की रिपोर्ट में कनसल्टेंट्स बताए गए हैं ?

Shri Hathi: I have not followed the question.

Mr. Speaker: Are they the consultants?

Shri Hathi: Yes, these are the consultants.

Shri Tangamani: Now that the Hirakud Dam Construction is over and it is being handed over to the State Government from today, may I know whether the services of this panel or the other engineers who were utilised in the Hirakud Dam will be used for helping the State Government for maintaining this Dam and the power installations there?

Shri Hathi: Are you asking about the engineers who were employed on the Hirakud Dam Project?

Shri Tangamani: Yes.

Shri Hathi: Of course, those who were in the Central Water and Power Commission may revert to the Central Water and Power Commission, but we will allow those officers to stay there whom the Orissa Government want. If the Orissa Government want them, they will be placed at their disposal.

Mr. Speaker: Evidently, the hon. Member wants to know whether the Chief Engineer will be included in the panel?

Shri Hathi: The Chief Engineer is not perhaps prepared to work now. If he is prepared to work on the panel, naturally he would be one of the persons to be considered. I do not think he is prepared to work now.

Permitting M.P.s. to Travel in Goods Train

*1220. **Shri M. B. Thokare:** Will the Minister of Railways be pleased to state:

(a) whether it is a fact that authorities on Indian Railways do not allow

the Members of Parliament to travel even in emergency in goods-train on their passes when a passenger train is not available;

(b) if so, number of such complaints made by Members of Parliament; and

(c) the steps taken by Government to remove the difficulty?

The Deputy Minister of Railways (Shri S. V. Ramaswamy): (a) The procedure followed on the Railways is not uniform. However, no specific instructions have been issued by the Ministry of Railways (Railway Board) that Members of Parliament should not be allowed to travel by the brake van of goods train.

(b) There has been only one complaint against alleged indifferent attitude on the part of an Assistant Station Master.

(c) Having regard to the fact that travel by goods trains is liable to cause delay, inconvenience and damage etc. to the travellers as a result of operational requirements, it has been decided that an Indemnity Bond should be obtained from the person who proposes to travel, indemnifying the Railways from all responsibilities in regard to loss, damage or delay as a consequence of the travel in the Brake van. It would also be necessary for the person concerned to obtain a certificate of emergency from the Station Master of the Station from where he proposes to entrain. The person concerned will be required to purchase a first Class ticket.

In the case of Members of Parliament who are in possession of First Class Passes, it has been decided that the above principles should also apply except so far as the purchase of First Class Ticket is concerned. Their First Class Passes will suffice.

Shri M. B. Thakore: May I know from the hon. Minister whether it is a fact that the railway authorities at the railway stations many a time furnish wrong information to first

class passengers intending to travel in an emergency about the arrivals and departures of goods trains; if so, what steps are being taken by the Government to remove this difficulty?

Shri S. V. Ramaswamy: There has been no frequent reference at all. There is only one complaint, and I believe it is from the hon. Member himself. As regards travel by goods trains, I do not see how it can meet an emergency.

Shri Hem Barua: In view of the fact that damages and injuries are caused to travellers travelling by passenger trains as well, may I know whether the Government will consider applying this policy of getting Indemnity Bonds signed by passengers travelling by passenger trains also?

Shri S. V. Ramaswamy: No, Sir; it is only in the case of goods trains, because the difficulties are obvious.

Mr. Speaker: Order, order. Why does he answer that question? That does not arise out of this.

Shri D. C. Sharma: The Railway Ministry has been attempting to liberalise and relax some of the rules, and it has been a very good process. May I know if the rules governing travel by Members of Parliament in goods trains will also be relaxed and liberalised?

Shri S. V. Ramaswamy: I suppose the emergency will be met very easily by travelling in a bullock-cart or bicycle rather than by a goods train.

Mr. Speaker: The hon. Deputy Minister has said that except with respect to the purchase of a first class ticket, the other conditions apply. One of the conditions seems to be that an emergency certificate has to be given by the station master.

Shri S. V. Ramaswamy: An Indemnity Bond also has to be signed.

Mr. Speaker: Leave that alone. Hon. Members evidently want to say that a statement of emergency may be taken in place of an emergency certificate from the station master.

That seems to be the trend, nothing more. Hon. Minister will consider that matter.

Shri S. V. Ramaswamy: We will consider that matter.

Shri Hem Barua: Sir, you have given the answer also.

Buffer Stock of Foodgrains in Orissa

*1221. **Shri P. K. Deo:** Will the Minister of Food and Agriculture be pleased to state:

(a) whether any buffer stock of foodgrains have been built in Orissa this year;

(b) what is the quantity of foodgrains of this stock; and

(c) where they are located?

The Deputy Minister of Food and Agriculture (Shri A. M. Thomas): (a) Yes, the Orissa Government have been building up stocks.

(b) About 47,000 tons of foodgrains up to 1-3-1960.

(c) Stocks have been kept in the Government storage godowns and depots of the purchasing agents and storage agents in different districts of the State.

Shri P. K. Deo: May I know if the stock is sufficient to meet the scarcity which generally occurs in the months of July and August every year in that State, more so in the coming rainy season due to the Orissa-West Bengal food zone?

Shri A. M. Thomas: The hon. House knows we have decided that there should be a reserve stock of about 75,000 tons in Orissa. The State Government feels that it will be in a position to find the necessary storage accommodation also for that stock.

Shri P. K. Deo: May I know if there is any movement of foodgrains from the suffer stock to the scarcity areas in the last few months?

Shri A. M. Thomas: This quantity that has been procured is kept in

different districts, especially having regard to the difficult places.

Shri P. K. Deo: I wanted to know whether there has been any movement of foodgrains in the last few months?

Mr. Speaker: How does it arise out of this question?

Shri A. M. Thomas: Hitherto the necessity has not arisen for distribution through fair-price shops or anything like that. Therefore, these quantities are kept in different places. I do not know whether there has been any movement from one place to another.

Shri Sanganna: May I know whether the Government are aware that very recently the Finance Minister of Orissa stated that there need be no panic about rise of prices in Orissa?

Shri A. M. Thomas: Yes, Sir; we have also been saying that the Orissa people need not be panicky at all.

Shri Surendranath Dwivedy: Just now the Deputy Minister stated that fair-price shops are not being supplied from the buffer stock. Fair-price shops have been opened there. May I know whether they are being supplied foodgrains by procuring rice from the open market?

Shri A. M. Thomas: No, Sir. In fact, there is some stock lying over from last year. They have also been procuring this year. I have already mentioned that about 47,000 tons of foodgrains have been procured, about 30,000 tons of paddy and about 17,000 tons of rice. This quantity is kept by way of reserve stock. They are continuing the levy on mills at the rate of 20 per cent., so that there may not be any difficulty in the matter of supplies.

Death by Railway Accident in Sealdah Division

*1222. **Shri Raghunath Singh:** Will the Minister of Railways be pleased to state whether it is a fact that seven people including two women

were run over and killed by trains in the Sealdah Division of Eastern Railway in the past twenty hours preceding the 19th March, 1960?

The Deputy Minister of Railways (Shri Shah Nawaz Khan): Not seven but three persons viz. one male and two females were run over and killed by three different trains at different places in Sealdah Division while they were trying to cross the railway track in the face of approaching trains.

Shri Raghunath Singh: The hon. Minister has said that three persons were killed. May I know how many persons were injured, and may I also know the reason why in one day so many accidents have taken place?

Mr. Speaker: All in the same train?

Shri Shah Nawaz Khan: There were three different trains at different places and accidents were outside the station yard, in block sections. Further, in broad daylight if somebody decides to be run over by a train what can we do?

Shri Raghunath Singh: May I know whether such accidents are happening there daily and whether it is not a fact that three or four people are killed by these accidents daily?

Shri Shah Nawaz Khan: No, Sir. They are not happening daily.

Shrimati Renu Chakravartty: May I know whether these accidents are due to the fact that between Barasat and Dum Dum there is no double track, with the result that outside the yard, when crossing takes place, there is shunting, and that is why these people are run over?

Shri Shah Nawaz Khan: These are all passenger trains; there is no shunting at all.

श्रीमती सहोदरा बाई राय : अध्यक्ष महोदय

अध्यक्ष महोदय : आप भी क्या कल्पना से आती है ? अच्छा आप भी कुछ नीजिये ।

श्रीमती सहोदरा बाई राय : क्या माननीय मंत्री महोदय बतलाने की कृपा करेंगे कि मियालदह स्टेशन पर १६ मार्च को जो महिलाएँ दब कर मर गई थीं उनके बाल-बच्चों को क्या कोई धनराशि दी गई है और दी गई है तो कितनी दी गई है ?

श्री शाहनवाज खां : इसमें तो रेलवे का कसूर नहीं है, इसलिये कोई धनराशि नहीं देंगे ।

श्रीमती सहोदरा बाई राय : कैसे कसूर नहीं है ? जिन महिलाओं की जानें चली गई हैं, उनके जो बाल बच्चे हैं, वे कहाँ से खाएंगे ? आपको उन्हें कुछ देना है या नहीं देना है ?

Mr. Speaker: Next question.

World Agriculture Fair

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Shri Ajit Singh Sarhadi:

Shri Bhakt Darshan:

Shri Hem Barua:

Shri P. K. Deo:

Shri Pangarkar:

Shri Madhusudan Rao:

Shri Bibhuti Mishra:

Shri Kalika Singh:

Shri Hem Raj:

*1223. Shri B. K. *Prakash*

Shri Karni Singhji:

Shri Manabendra Shih:

Shri Tangamani:

Shri Supakar:

Shri Braj Raj Singh:

Kumari M. Vedakumari:

Shrimati Minimata:

Shri Dinesh Singh:

Shri Ramji Verma:

Shri Goray:

Will the Minister of Food and Agriculture be pleased to lay a statement showing:

(a) the total expenses incurred on the World Agriculture Fair in Delhi;

(b) the income therefrom;

(c) the total number of visitors; and

(d) what steps are being taken to

utilize the information gained from different pavilions of foreign countries?

The Minister of Agriculture (Dr. P. S. Deshmukh): (a) to (d). A statement is laid on the Table of the Sabha.

STATEMENT

(a) and (b). According to the information furnished by the Secretary, World Agriculture Fair, (a) the total expenditure is estimated to be about Rs. 40 lakhs. As bills for expenditure are still being received, it is difficult to give the exact figure of expenditure just now and (b) the income so far received is about Rs. 55 lakhs. A further sum of about Rs. 2½ lakhs is still due.

In accordance with an assurance given by Minister for Food and Agriculture in Lok Sabha on the 17th March, 1960, a copy of the accounts will be placed on the Table of the House as soon as possible.

(c) The total number of visitors was over 28 lakhs according to information received from Secretary, World Agriculture Fair.

(d) Officers were deputed by the Central Ministry of Food and Agriculture as well as by State Governments to study the exhibits in the various pavilions and establish contacts with the officers in charge of the pavilions to secure more details if necessary, with a view to utilising the information gained for development of Indian agriculture.

Shri Ajit Singh Sarhadi: I find from the statement that certain Central and State officers were deputed to secure more details. I want to know whether the details were secured and whether they have been consolidated in the form of some information bulletin which could be given in the shape of a booklet or something like that for circulation?

Dr. P. S. Deshmukh: It is under contemplation. It is proposed by the Samaj to give a whole account of it,

from the beginning to the end. With respect to the statement, I would like to add one or two more aspects. The income was asked for, I might say that we have not included the Government grant of Rs. 5 lakhs which the Bharat Krishak Samaj received. Secondly, the expenditure is given as Rs. 40 lakhs. It might be exceeded by a lakh of rupees or so. It does not include any payment of rent to Government.

Shri Ajit Singh Sarhadi: May I know by what time this information bulletin or booklet that is being intended to be prepared would be ready?

Dr. P. S. Deshmukh: The Bharat Krishak Samaj is thinking of making it a very fine volume, because this was history's first agriculture exhibition. I have discovered that 110 years ago, when the first great exhibition in London was held, very similar difficulties which we had to face were faced there also. So, we want to give a comparative picture of what we faced and what we did.

Shri Ajit Singh Sarhadi: Could it be given in six months at least?

Dr. P. S. Deshmukh: Not more than six months.

Shri Tangamani: Out of the Rs. 55 lakhs which is the income from the fair, may I know how much was the collection from the visitors who visited the fair?

Dr. P. S. Deshmukh: About Rs. 5,90,000.

Shri Braj Raj Singh: May I know what are the major heads of expenditure and the major heads of income, and may I know whether the Bharat Krishak Samaj was given any subvention or aid from the Government and, if so, what is the amount?

Dr. P. S. Deshmukh: The total Government assistance received was Rs. 5 lakhs. We are going to place the accounts on the Table. But I am prepared to give a rough idea. About the rents we charged, I think a large

portion was paid by the foreign Governments. It came to nearly Rs. 42 lakhs. The gate collections were Rs. 5,89,000 odd. The entertainment brought us Rs. 1,21,000. Publicity brought us Rs. 41,000. Electricity brought us Rs. 5 lakhs and water, Rs. 28,000. Telephones fetched Rs. 27,000.

I am prepared to give the expenditure figures also. First of all, the expenditure item, in the way of establishments which were responsible for putting up the fair, comes to about Rs. 5½ lakhs. Postage, printing, etc., came to Rs. 1,15,000. Roads and buildings came to about Rs. 4,61,000. All these figures are within the revised budget that we had framed, at which the Extension Commissioner as well as the Joint Secretary (Finance) who works in my Ministry were also present.

Some Hon. Members rose—

Mr. Speaker: The hon. Minister has given the details. Are we going into the detailed accounts here? What is it that hon. Members want?

Shri Hem Barua: In view of the large sums of money involved in this and in view of the fact that the Government also have made available to the fair funds to the tune of Rs. 5 lakhs, may I know whether the accounts are going to be audited by the Comptroller and Auditor-General and, if not, why not?

Dr. P. S. Deshmukh: The condition which has been laid down by the Government is that we should keep proper accounts of the fair and that the accounts should be open to scrutiny by the Government. The expenditure of Rs. 5 lakhs has already been audited twice by Government auditors. An expenditure of Rs. 2 lakhs was first audited and then an expenditure of Rs. 3 lakhs was audited. We are getting the whole expenditure and income audited by certified auditors and all that will be placed before the Government.

Shri C. D. Pande: May I know if the Minister can give any estimate of the value of the assets left by the participating countries and whether these assets will go to the Government or to the Samaj?

Dr. P. S. Deshmukh: Every asset and everything left behind will not go to the Bharat Krishak Samaj. They will only go to the Government. I have taken possession of certain cattle and certain pavilions on behalf of the Government and not on behalf of the Krishak Samaj. Unless the Government insists on certain participants levelling down the pavilions and destroying them, I think the value of these assets should not in any case be less than half a crore of rupees.

श्री भक्त दर्शन : इस विवरण में बताया गया है कि २८ लाख से अधिक व्यक्तियों ने इस प्रदर्शनी को देखा । मैं जानना चाहता हूँ कि इन २८ लाख व्यक्तियों में से कितने खेती करने वाले किसान थे और कितने तमाशाबीन थे ?

डा० पं० शा० वेशमूल : मैं समझता हूँ कि इसमें से कम घड़ा कम घाघे होंगे । मेरा यह दावा है कि दिल्ली के शहर में इसके पेश-तर इतनी संख्या में किसान कभी नहीं आये थे ।

Shri N. R. Muniswamy: May I know whether it is a fact that the Krishak Samaj paid about Rs. 30 lakhs as rent to the Government for this fair?

Dr. P. S. Deshmukh: That is the demand the Government has made. As we see, it is impossible for the Samaj to pay so much. The balance is much smaller than that, and we will negotiate with Government on this matter. If anything is left with the Bharat Krishak Samaj, they intend to put up a small agricultural museum, a hostel, a guest-house for farmers etc.

Shri Sadhan Gupta: Sir, on a point of order.

Shri Sampath: May I know if there is any feasibility of introducing into Indian farming some of the valuable machines exhibited at the various pavilions of foreign countries, such as, for instance, the transplanting machine exhibited in the Chinese pavilion?

Dr. P. S. Deshmukh: Yes, Sir. Very serious consideration is being given to all these things which would be of use to the Indian farmers. We are doing our best to afford these facilities to our farmers in due course.

Shri Braj Raj Singh: Sir, on a point of order.

Mr. Speaker: I cannot allow two points of order. Shri Sadhan Gupta.

Shri Sadhan Gupta: Is the hon. Minister answering for the Government or for the Krishak Samaj? He said that "we are negotiating with Government" and so on.

Dr. P. S. Deshmukh: I admit there is likely to be a little confusion because I have a dual capacity on this matter. I am replying to the questions as Minister and not as one representing the Krishak Samaj.

Shri Braj Raj Singh: The other day, while answering questions about the World Agriculture Fair, the Minister of Food and Agriculture said that they had refused the Bharat Krishak Samaj the request not to charge the rent of Rs. 30 lakhs. The Minister of Works, Housing and Supply also said so. Now, the Minister says that they are negotiating with the Government. The other day, the Minister told us that they have refused permission to the request that the rent should not be paid. May I know what is the latest position?

Dr. P. S. Deshmukh: No organisation can refuse to pay to the Government of India. What was probably meant was that the Bharat Krishak Samaj wanted to apply, submit and pray that this rent need not be charged, as the Samaj would utilise the funds for the benefit of the farmer.

Mr. Speaker: I would like to suggest that whenever an hon. Minister combines in himself two positions, one directly responsible to this House and the other in any other capacity, he must entrust the matter of answering the question to another Minister. He cannot be a judge on his own case, saying, "I am requesting the Government"; it means "requesting myself" to decide this matter. I thought the Food Minister or some other Minister would answer this question. If any further elucidation is necessary, I have no objection if the Public Accounts Committee will look into this matter. It is a public affair. The hon. Minister will kindly place all the material before the Public Accounts Committee as soon as possible and it will send a report to this House.

Of course, this has been a very good fair. I do not think any hon. Member wants to say anything against the manner in which the fair was conducted.

Some Hon. Members: No.

Mr. Speaker: Therefore, it is only a question of adjustment from one head to another head. The Minister will do so in future. I do not want to prevent Ministers from being associated with other bodies, but when they are so associated, let them dissociate themselves on the floor of the House and let another Minister answer for them.

Dr. P. S. Deshmukh: I have replied to the question lest some hon. Member might think that I was shirking to reply.

Shri Joachim Alva: There is one aspect arising out of your direction. When a Minister is in possession of all the facts of the case, does he not owe it to the House that he should explain the facts of the case to the House instead of another Minister answering it?

Mr. Speaker: It is not so. If he explains, hon. Members themselves will say he is interested in the Bharat Krishak Samaj and so on, in spite of his best efforts to explain. Therefore

whenever another Minister takes charge, wherever the House is not satisfied, the other Minister who is actually in charge, will also explain. There is no harm in doing so. The main responsibility will be upon another Minister.

Shri P. K. Deo: May I know what will happen to the various machinery that came from the different countries to the Fair? If they are not going back, may I know whether they will be the property of the Government of India or how will they be disposed of?

Dr. P. S. Deshmukh: Some of the participants are anxious to dispose of their machinery here as it is very costly to take them back. But they have to get the permission of the Central Board of Revenue to do that; the Fair Committee is not concerned with it.

Shri Joachim Alva: Is it not true that the World Agricultural Fair has been a spectacular and triumphant success and perhaps the only mistake Government committed was, instead of getting 20,000 peasants, they should have brought 2 lakhs of peasants as visitors to the Fair?

Mr. Speaker: The hon. Member is expressing an opinion.

Shri B. K. Gaikwad: May I know whether Government is aware that while making recruitment to look after the World Agricultural Fair, according to the Government policy, a particular percentage had not been reserved for scheduled castes and scheduled tribes? I hear that there were several applications from the scheduled castes and scheduled tribes and they were not appointed.

Dr. P. S. Deshmukh: I am afraid I will have to speak as the President of the World Fair. I made special efforts as far as I could; it may be that the hon. Member is not satisfied with the numbers employed. But I did direct my Secretary to recruit as many persons from the scheduled castes as possible.

An Hon. Member: But how many?

Mr. Speaker: We do not go into such details.

Bombay-Baghdad Air Service

*1224. **Shri P. C. Borooah:** Will the Minister of Transport and Communications be pleased to state:

(a) whether it is a fact that Iraqi Government have asked the Indian Government for technical assistance to set up a plant for the production of aircrafts in Iraq;

(b) whether it is also a fact that a request was made by the Iraqi Government to start a new air-service from Baghdad to Bombay; and

(c) if so, the details thereof?

The Deputy Minister of Civil Aviation (Shri Mohiuddin): (a) No, Sir.

(b) and (c). The Iraqi airways are at present operating a weekly service from Baghdad to Delhi. A proposal was received from the Iraqi authorities for a second service to be operated by Iraqi Airways to India on the route Baghdad, Bahrain, Karachi and Bombay. This request is under examination.

Shri P. C. Borooah: May I know whether there was any informal talk between officials of the Government of India and of the Government of Iraq on the question of setting up an aircraft construction plant at Iraq?

Shri Mohiuddin: There was no talk about the manufacture of aircraft.

Shri P. C. Borooah: May I know whether in regard to the proposal for the Bombay-Baghdad service, it is necessary to have a calling at Karachi and if so, whether the permission of the Pakistan Government has been secured?

Shri Mohiuddin: It is not for us to secure permission. It is for us to consider whether we think it desirable that a second service should be introduced on such and such route in India.

Medical Graduates

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1225. { Shri P. C. Borooah:
 { Shri Arjun Singh Bhadauria:
 { Shri P. G. Deb:

Will the Minister of Health be pleased to state:

(a) whether it has been decided by the Medical Council of India to have annual check of medical graduates registered with the State Medical Councils; and

(b) if so, the reasons therefor?

The Minister of Health (Shri Karmarkar): (a) and (b). Under section 22 of the Indian Medical Council Act, 1956 each State Medical Council shall supply to the Medical Council of India printed copies of the State Medical Register each year and shall also inform that Council of all additions to and other amendments in the State Medical Register made from time to time. This provision has been made to facilitate the preparation and maintenance of the Indian Medical Register.

Shri Nanjappa: May I know how many States have not come forward with their registers?

Shri Karmarkar: It is yet too early; they have been asked and it will take sometime before they submit the registers.

Production of Edible Groundnut Cake

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- *1227. { Shri Achar:
 { Shri Shree Narayan Das:
 { Shri Radha Kaman:

Will the Minister of Food and Agriculture be pleased to state:

(a) whether Government have under consideration any scheme for the production of edible groundnut cake and flour with UNICEF assistance; and

(b) if so, the main features of the scheme?

The Deputy Minister of Food and Agriculture (Shri A. M. Thomas): (a) Yes.

(b) It is proposed to set up two plants, each of capacity 10 tons per day. The UNICEF has agreed to provide the equipment at an estimated cost of \$120,000. The plants will be operated by two selected oil mills in conjunction with their existing machinery. The oil mills will provide the land, building and other rupee funds required for the erection and operation of the plants. The Government of India will enter into suitable agreements with the mills so as to ensure production of edible groundnut cake and flour of the requisite quality at a reasonably low price and will arrange for the disposal of the product.

Shri Palaniyandy: May I know whether Government will come forward to help producers of groundnut cake by loans or subsidy, to get it at a cheaper price?

Shri A. M. Thomas: The present producers as such cannot be selected, because the production should be for edible purposes. So, we have circulated the scheme among the millers in Bombay as well as Madras. Many have applied and we are scrutinising the applications and two among them will be selected.

Shri Achar: I understand through this protein value is going to be supplied. May I know how, in what form, it would be supplied to rice-consumers?

Shri A. M. Thomas: Hon. Members may be aware of the fact that there would be even 50 per cent. protein in this groundnut cake. Our idea is to mix it in various forms with other edible substances and even with cereals. There are several preparations we have in view. We have got the Mysore flour that would be 75 per cent. tapioca flour and 25 per cent. groundnut flour; tapioca macaroni with 50 per cent. tapioca flour, 35 per cent. wheat flour and 15 per cent. groundnut flour. We have also got a

scheme for the preparation of composite atta with 75 per cent. wheat flour, 17 per cent. tapioca flour and 8 per cent. groundnut flour.

Shri Jangde: May I know why these plants are going to be located at Bombay and Madras and not in rural areas?

Shri A. M. Thomas: We want to select premier groundnut producing States.

Pandit K. C. Sharma: What will be the production capacity of the two plants?

Shri A. M. Thomas: 10 tons each a day; i.e. 20 tons per day.

Shri Sugandhi: May I know whether groundnut cake would remain edible after the solvent extraction process?

Shri A. M. Thomas: The solvent extraction process may not be good for this purpose; it must be by propeller extraction.

Shri Achar: The Minister was pleased to say that it will be in the form of flour or atta. That is possible so far as wheat is concerned. My question was, in what form it will be given to the rice-consumers?

Shri A. M. Thomas: Our idea is also to sell edible groundnut flour for a low price. It can be mixed with other edible substances used for preparation of Uppumau consumers in the South. Idli can also be prepared by addition of this.

दिल्ली बिजली उपक्रम

*१२२६. श्री खुशबक्त राय : क्या सिचाई और विद्युत् मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि पंजाब सरकार ने दिल्ली बिजली संभरण उपक्रम पर साढ़े बारह लाख रुपये प्रति वर्ष का कर लगा दिया है;

(ख) क्या पंजाब सरकार को अपने क्षेत्र में बाहर ऐसा कर लगाने का अधिकार है; और

(ग) इस कर के देने के बारे में उपक्रम की क्या प्रतिक्रिया है ?

सिचाई और विद्युत् उपमंत्री (श्री हाथी):

(क) पंजाब सरकार ने दिल्ली को दी हुई बिजली के मूल्य पर २५ प्रतिशत कर लगा दिया है।

(ख) इस सम्बन्ध में केन्द्रीय सरकार तथा पंजाब सरकार के वैधिक सलाहकारों के मत भिन्न-भिन्न हैं।

(ग) उपक्रम ने कर देने का दायित्व स्वीकार नहीं किया है।

श्री खुशबक्त राय : श्रीमान्, क्या मैं जान सकता हूँ कि इस बारे में जो दिल्ली सरकार के लीगल कंसल्टेंट्स हैं उनकी क्या राय है और पंजाब सरकार के लीगल कंसल्टेंट्स की क्या राय है ?

Shri Hathi: The opinions differ. Punjab legal experts say that the Punjab Government is competent to levy while the Delhi experts advise us that they are not competent to levy.

श्री खुशबक्त राय : क्या मैं जान सकता हूँ कि अगर यह टैक्स देना पड़ा तो दिल्ली एलेक्ट्रिक सप्लाय अण्डरटेकिंग को दिल्ली में आज जो बिजली का भाव है उसको कुछ बढ़ाना पड़ जायगा और परिणामस्वरूप बिजली का भाव अब से बढ़ जायगा ?

श्री हाथी : सम्भवतः कुछ भाव बढ़ जायेगा।

Shri Ajit Singh Sarhadi: Is it not a fact that there is a lot of shortage of power in Punjab and as a result of that many industries are starving? Would Delhi take care of those industries by making good the supply curtailing its demand?

Shri Hathi: That is a different matter. The question relates to the levying of tax by the Punjab Government in Delhi.

श्री नवल प्रभाकर : क्या मंत्री जी बतलायेंगे कि इसमें केन्द्रीय सरकार का क्या मत है ?

Shri Hathi: This matter was discussed at the Zonal Council and it has been decided that the Punjab Government should decide this question in consultation with the Ministry of Irrigation and Power.

Shri Hem Barua: May I know the reasons advanced by the Punjab Government for the levy of this tax? Is it because electricity is drawn from Bhakra?

Shri Hathi: They have got the Punjab Electricity Act of 1958 which authorises them to levy duty on the sale of electricity. Under that provision of the Act they are levying this.

Shri Ajit Singh Sarhadi: Are the Government aware that the Punjab consumer is paying the same tax which has been demanded from the Delhi Administration?

Shri Hathi: The Punjab people are paying this tax. But the objection of the Delhi Administration is that outside the jurisdiction of Punjab they cannot levy this tax. That is their contention.

दिल्ली-ग्वालियर-भोपाल-इन्दौर-बम्बई विमान सेवा

*१२३१. श्री राधे लाल व्यास : क्या परिवहन तथा संचार मंत्री यह बताने की कृपा करेंगे कि :

(क) १५ मार्च, १९६० से दिल्ली ग्वालियर-भोपाल-इन्दौर और बम्बई के बीच जो यात्री विमान सेवा आरम्भ हुई है उससे अब तक कुल कितने यात्रियों ने यात्रा की है;

(ख) इस सेवा से इंडियन एयरलाइन्स कारपोरेशन को कितनी आय हुई और कारपोरेशन के लाभ और हानि पर इसका क्या प्रभाव पड़ा; और

(ग) क्या सरकार इस यात्री विमान सेवा को सप्ताह में तीन दिन की बजाय दैनिक सेवा में परिवर्तित करना चाहती है ?

असैनिक उड्डयन उपमंत्री (श्री मुही-उद्दीन) : (क) से (ग). एक स्टेटमेंट मेज पर रखा गया है।

विवरण

(क) यह सर्विस १ दिसम्बर, १९५९ को खोली गई थी और १ दिसम्बर, १९५९ से २९ फरवरी, १९६० तक १७२२ मुसाफिरो ने इस पर सफ़र किया।

(ख) इस दौरान में मुसाफिरो, अलावा सामान, माल भाड़े और डाक ने होने वाली आमदनी का तलमोना ४०३.६ रुपया फी घण्टा किया जाता है जबकि खर्च का तलमोना ७६६.३ रुपया फी घण्टा किया गया है। इस अर्थ में उड़ान किये गये घण्टों की कुल तादाद ४४३ घण्टे ४५ मिनट थी।

(ग) दिसम्बर, १९५९ से फरवरी, १९६० तक के तीन महीनों के तजुबों की रोशनी में जहाजों के आने जाने की तादाद बढ़ाना मुनासिब नहीं है।

श्री राधेलाल व्यास : मैं यह जानना चाहता हूँ कि क्या इस यात्री विमान सेवा के अलावा और इसी तरह की दूसरी विमान सेवाएँ नहीं हैं जिन में कि नुकसान हो रहा है और यदि ऐसी एयर सर्विसेज हैं तो फिर इस सर्विस का नुकसान दूसरी एयर सर्विसेज के नुकसान से किस तरह मुकाबला करता है ?

श्री मुहीउद्दीन : अब यह बताना मुश्किल है कि इस एयर सर्विस में होने वाला नुकसान दूसरी सर्विसेज से किम तरह मुकाबला करता है। इसके अलावा दूसरी एयर सर्विसेज में

भी काफी नुकसान हो रहा है लेकिन यह मुकाबला इस वक्त करना मुश्किल है ।

श्री राधेलाल व्यास : मैं यह जानना चाहता हूँ कि जिस समय यह यात्री विमान सेवा आरम्भ की गई थी उस समय गवर्नमेंट का नुकसान के बारे में अंदाज क्या था और क्या यह सही नहीं है कि नुकसान उतना नहीं हो रहा है जितना कि पहले अंदाज किया गया था ।

श्री मुहोददीन : इस गविस को शुरू हुए अभी तो तीन हो महीने हुए हैं मैंने सिर्फ एदाद बता दिये हैं । जब गविस शुरू हुई थी तो इण्डियन एयरलाइन्स कारपोरेशन का खयाल था कि इसमें ८,६ लाख रुपये सालाना का नुकसान होगा ।

श्री राधेलाल व्यास : मध्य प्रदेश की इतनी बड़ी स्टेट में केवल यह एक ही एयर सर्विस है जो कि वहाँ के तीन, चार मुकामों को जोड़ती है तो क्या मध्य प्रदेश की आवश्यकताओं को देखते हुए इस सर्विस को सप्ताह में तीन दिन की बजाय दैनिक सेवा में परिवर्तित करने का विचार किया जा रहा है ?

श्री मुहोददीन : यह सबाल अभी जेर गौर नहीं है ।

Shri Jangde: Has any proposal been put forward, either by the Government or by private individuals for routes like Delhi-Bhopal-Raipur-Rourkela or Delhi-Bhopal-Raipur-Waltair?

श्री मुहोददीन : हमारे यहाँ तो कोई ऐसी तहरीक नहीं आई है ।

Palar River Waters Dispute

*1232. **Shri Tangamani:** Will the Minister of Irrigation and Power be pleased to state:

(a) whether Madras Government have proposed modification of agreement with Mysore regarding supply

of water to Palar River in North Arcot District;

(b) if so, the action taken; and

(c) if not, what steps will be taken to protect the waters of this river in this arid district?

The Deputy Minister of Irrigation and Power (Shri Hathi): (a) to (c). The Government of Madras had approached the Government of India in March, 1955 for settlement of certain differences that had arisen between Madras and Mysore on the use of Palar waters. These differences were settled after holding discussions between the representatives of the Central and the two State Governments. The Government of Madras subsequently informed the Government of India, in July, 1958, that they did not want to pursue the matter further. Since then no further reference has been received in this connection by the Centre and hence the question of taking any further action by the Centre does not arise.

Shri Tangamani: May I know whether the Government is aware of the fact that the Madras Government have addressed the Mysore Government for complete dimension plans of the tanks in the Palar system and for making arrangements for joint surveying and levelling, as specified in the agreement of the 1956 conference of experts?

Shri Hathi: I have no information about that.

Shri Tangamani: I would like to know whether the Government have agreed to convene a conference.

Mr. Speaker: Which Government?

Shri Tangamani: Central Government. I am referring only to the Central Government. Because, in 1958 we were told that both the State Governments will be addressed on this particular dispute and a settlement will be reached. May I know whether the Government propose to convene a conference of these Ministers, as per directions then given?

Shri Hathi: A conference of the officers of the Central Government and of the two State Governments was held. Certain tentative decisions were taken by the representatives of the two State Governments and the Central Government. Then Mysore accepted those decisions. From Madras we did not receive any reply but their Minister had discussions with the Central Minister and ultimately they said that they do not want to proceed further.

Shri Sampath: In 1958 an informal conference was held here in which the Ministers of Madras Government, Tamilnad M.P.s. and the Ministers from the Centre participated. In that conference, which was held subsequent to the meeting of the representatives of the three Governments, the hon. Minister was pleased to assure that a ministerial level conference would be convened very soon. Now more than a year has passed and it has not been convened. The question is what steps are being taken to convene that ministerial level conference to settle this dispute.

Shri Hathi: The position was that as a result of the local enquiries it was found that no encroachment was made by the Mysore Government. But in order to safeguard that further dispute does not arise, certain steps were required to be taken and Mysore agreed that discussions should take place. A discussion with the Madras Government also took place and they were told that if there is anything yet to be taken and the Madras Government feels that some commission or something has to be appointed, the Central Government can, under the powers vested in the Government under the Water Disputes Act, appoint a commission, provided the Madras Government officially approached us for that purpose. But the Madras Government intimated to us that they do not want to proceed further in the matter.

Shri Mohammed Imam: Is it not a fact that, as pointed out by the Minis-

ter, the representatives of both the Governments met together, investigated the entire area and they found, to their surprise, that these rivers contain nothing but sand and there is absolutely no water and that the tanks that are dependent on this river.....

Mr. Speaker: We seem to be engaged on a discussion of this matter, not eliciting information.

Shri Mohammed Imam: Both the Madras and Mysore Governments are satisfied that there is no dispute at all.

Mr. Speaker: That is what the hon. Minister has stated, not once but twice. I will proceed to the next question. I am not going to allow any more question.

Shri Tangamani: Only one question.

Mr. Speaker: We cannot force the Madras Government. It initiated this. Then, after investigation, after all the officers met, they came to some conclusions. On further consideration, the Madras Government feels that there is no purpose served in pursuing this matter.

Shri Tangamani: There was a press report that on the 25th March, replying to one of the questions.....

Mr. Speaker: Here?

Shri Tangamani: the State Minister stated that as per the decision of the 1956 Conference..... (Interruption) they have asked for certain particulars from the Mysore Government and that the Mysore Government have not sent a reply to that particular communication. I wanted to know whether the Government is aware of such a letter being addressed by the Madras State Government to the Mysore Government and, if so, the reaction of the Mysore Government to that. I want to know whether Government is aware of it.

Shri Hathi: The Central Government is not aware of such a letter having been addressed to the Mysore

Government. But if the Madras Government approaches the Central Government officially with regard to the implementation of the decision as arrived at at that Conference, the Central Government will take necessary action.

Shri Balakrishnan: The hon. Minister has said that a conference was held and certain recommendations and decisions were made at that conference and that that decision was accepted by the Mysore Government. But the Mysore Government has not sent a reply yet. What was the decision that had been taken at that time?

Shri Hathl: I can lay a copy of the decisions on the Table. There are four or five long ones.

Shri N. R. Muniswamy: After several conferences and discussions that ensued between the two Governments, the hon. Minister, Shri Ibrahim, had undertaken to use his good offices to bring about some agreement between these two Governments and remove the difficulties.

Shri Hathl: There is no difficulty. But if the Madras Government approaches the Central Government we will see that the decisions, if any that are not implemented, are implemented.

Shri Viswanatha Reddy: Apart from the sharing of these Palar waters, may I know whether the Government of Andhra have pointed out difficulties to the Centre with regard to the working of what are called the Palar Basin Rules, which were framed long ago and under which even wells are not to be dug in the basin somewhere near the river with the result that the ryots are put to very great difficulties? May I know whether there is any need to revise those rules as is being pointed out by the Government of Andhra?

Shri Hathl: I do not think that arises out of the agreement between Madras and Mysore about the use of water. For answering that I would require separate notice.

36(A)LS-2.

Mr. Speaker: Hon. Member may be equally interested as the other hon. Members, who have tabled the question, are. But what is the use of asking this question on some other question?

Passenger Amenities on N.E. Railway

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*1233. { **Shri Bishwanath Roy:**
Shri Raghunath Singh:
Shri Umrao Singh:
Shri Sinhasan Singh:

Will the Minister of Railways be pleased to state:

(a) whether it is a fact that some of the essential facilities like water, lavatory etc. provided previously in trains to the passengers of the Railways have been stopped in some branch lines of the North Eastern Railway; and

(b) if so, whether the attention of Government has been drawn to the hardships faced by the railway passengers of these branch lines on the North Eastern Railway?

The Deputy Minister of Railways (Shri S. V. Ramaswamy): (a) Yes Sir. It is a fact that the lavatories in some of the branch line services on the North Eastern Railway, not exceeding 30 miles run, have been blocked up.

(b) Four written representations against this step have been received till the 15th of March 1960.

Shri Bishwanath Roy: Why have the passengers on these concerned trains been deprived of the essential facilities which were enjoyed by them till now?

Shri S. V. Ramaswamy: The main consideration is that these lavatories have been misused by outsiders when the rakes are in the yards and it is difficult to keep a check. Therefore they have been blocked up.

Shri Bishwanath Roy: May I know whether Government have got any idea of the number of passengers who travelled by these trains last year?

Shri S. V. Ramaswamy: I am sorry. I do not have the figures.

The Minister of Railways (Shri Jagjivan Ram): The number of passengers may be quite large. But the main point to be taken into consideration is that the runs are very short ones extending from 5 miles to 23 miles. These are short-run trains on which the lavatories have been sealed.

Shri Bishwanath Roy: May I know whether Government have enforced this policy of depriving the passengers of these essential facilities on any other Railway or only on this one?

Shri Jagjivan Ram: As a matter of fact, on many suburban and electric trains where the runs are short ones, these lavatories are not provided.

Shri Bishwanath Roy: May I know...

Mr. Speaker: How many questions? **Shri Raghunath Singh,** I thing, is also one of those who have tabled the question.

Shri Raghunath Singh: May I know whether the supply of water at these stations will be continued or not?

Shri Jagjivan Ram: The lavatories only have been sealed. The stations have not been closed and no facility at the stations has been withdrawn.

Mr. Speaker: It is only in regard to the trains.

श्री जगदीश प्रबन्धो : क्या मंत्री महोदय यह बताने का कष्ट करेंगे कि उत्तर पूर्व रेलवे की किन किन जगह लाइनों पर यह सुविधा बन्द कर दी गयी है, और उसके साथ ही साथ इस सुविधा को हटाने के पश्चात् यात्रियों की इन दैनिक आवश्यकताओं की पूर्ति के लिए क्या कोई दूसरा मास्टरप्लान प्रबन्ध किया गया है ?

Shri S. V. Ramaswamy: I shall read out the sections. They are eight in number. They are Mathura Cantonment to Vrindaban—eight miles; Mankapur to Ayodhya Ghat—21 miles; Bhatni to Barhaj Bazar—21 miles;

Madhosingh to Mirzapur Ghat—8 miles; Maharaj Ganj to Daronda—4 miles; Bhiknathoree to Narkatiaganj—23 miles; Bhagalpur to Barari Ghat—5 miles; and Raxaul to Sagauli—19 miles. Time taken.... (Interruption).

Shri Jagdish Awasthi: The other part of the question has not been answered. I asked about the other alternatives.

Shri Jagjivan Ram: I do not think that for these short runs of 5, 8 or 21 miles any alternative on the train is necessary. If anybody has that call of nature the stations will be there and he can satisfy himself.

Shri Hem Barua: May I know.... (Interruption).

Shri Bishwanath Roy: One question only.

Mr. Speaker: I have allowed a number of questions.

An Hon. Member: It is a very important question.

Shri Vajpayee: The question relates to my constituency.

Mr. Speaker: Next question. (Interruption). Order, order.

Shri Braj Raj Singh: May we know the idea behind it? (Interruption).

Mr. Speaker: Order, please. I am really surprised at this. The hon. Minister says definitely that these are all short runs.

Shri Jagdish Awasthi: 21 miles.... (Interruption).

Mr. Speaker: Does 21 miles run take three hours?

An Hon. Member: At least two hours.

Shri Vajpayee: Certain trains start in the morning and the calls of nature are frequent in the morning..... (Interruption).

Shri Jagjivan Ram: If it starts in the morning it is presumed that passengers come to the train..... (Interruption).

Shri Bishwanath Roy: In view of the slow speed of trains in the North Eastern Railway, may I know whether the Government would reconsider the question or the desirability of providing some difficulty in future?

Mr. Speaker: He may consider the one relating to 21 miles. Out of the seven or eight, he may reconsider the matter in regard to 21 miles run.

Shri Sadhan Gupta: 19 and 21.

Shri Hem Barua: On a point of order, Sir. The hon. Deputy Minister has said in his reply that these water and lavatory facilities in the trains have been stopped because of the fact that they are misused by outsiders. I think the stoppage of these facilities because they are misused by outsiders cannot be the only remedy. I want your guidance in regard to this.

Mr. Speaker: My guidance is that there is no point of order in this. Whatever he might have said, in a running train no outsider will misuse it. But when the trains stop at a particular station, they may misuse. Therefore, whatever it might be, the hon. Minister, Shri Jagjivan Ram, has explained that these are short-run trains. Then he is prepared to consider with respect to 19 miles and 21 miles runs and not 4 miles run.

Shri Jagjivan Ram: I am prepared to consider as suggested by you, Sir, and also in regard to any case where it is likely to cause any inconvenience to passengers. But if it is not, it is not.

Shri Jagdish Awasthi: Half-an-hour discussion should be allowed on this question.

Mr. Speaker: Let us see. Next question.

Closure of Quarries at Pakur

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*1234. { **Shri P. G. Sen:**
Shri Jhulan Sinha:
Shri Bholanath Biswas:

Will the Minister of Railways be pleased to state:

(a) whether Government have received any information regarding the intended closure of quarries by owners at Pakur (Bihar) due to non-availability of wagons ex Pakur; and

(b) if so, the causes of its scarcity of wagons?

The Deputy Minister of Railways (Shri Shah Nawaz Khan): (a) Yes, a letter dated 2-3-60 was received on 5-3-60 from the Quarry Owners' Welfare Association, Pakur, to the effect that the Quarry Owners would be forced to close down their business from 9-3-60 in the absence of any assurance or regular supply of full quota of wagons per day.

(b) The main cause of the Railway's inability to supply wagons to meet the full demand for the movement of stone from Pakur is the sudden spurt in the demand for wagons since December '59 which coincided with the general increase in demand all over the country. The position has, however, since improved and the demands are now being met as far as possible upto the full quota.

Shri P. G. Sen: May I know whether in view of the fact that the quarry workers live from hand to mouth the short supply of wagons per day by Railways is to enable the contractors to reap a harvest at the lowest rates in violation of the Minimum Wages Act?

The Minister of Railways (Shri Jagjivan Ram): I do not know how this question arises. It is only a question of the supply of wagons and not of wages.

Mr. Speaker: The hon. Minister is not the Labour Minister.

Shri P. G. Sen: Is it a fact that even when there is a supply of

wagons the contractors are found to send the wagons underload?

Shri Jagjivan Ram: These wagons are sent to different indentors; either to the Government of West Bengal or to the Government of Bihar or to the Kosi Project. It is for the indentors to see that they get the required quantity.

Shri P. G. Sen: Is it a fact that the Quarry Union workers, Pakur, detected this underloading and weighed the wagons in the presence of the Station Master, Pakur? If so, what action has been taken in the matter?

Shri Jagjivan Ram: I am afraid that does not arise.

Mr. Speaker: How can the hon. Minister say this?

Shri P. G. Sen: When there is a short supply of wagons they are going underload.

Mr. Speaker: If they do not load the wagons fully, it is their fault.

Shri P. G. Sen: It is the Railways who are purchasing the stones.

Shri Jagjivan Ram: Perhaps my hon. friend is confusing it. The indentors are the Government of West Bengal, the Government of Bihar and the Kosi Project. They are the major indentors—Government of West Bengal—53 wagons per day; Government of Bihar—12 wagons per day; the Kosi Project—6 wagons per day; other preferential users—29 wagons per day; rest—25 wagons per day.

Now, it should be presumed that nobody who is indenting the stones will accept a quantity less than the quantity which he has indented for and, therefore, these authorities will see that the quantity supplied is according to the indent.

Mr. Speaker: Question Hour is over.

Shri P. G. Sen: Sir, this is a very vital question.....

Mr. Speaker: Question Hour is over.

WRITTEN ANSWERS TO QUESTIONS

Sharavathy Valley Project

*1226. **Shri Shivananjappa:** Will the Minister of Irrigation and Power be pleased to state:

(a) the progress achieved so far on the construction of the Sharavathy Valley Project in Mysore State; and

(b) how many years the construction will take?

The Deputy Minister of Irrigation and Power (Shri Hathl): (a)

Main Dam at Linganamakki:

The drainage gallery on the Left Bank of the Dam has been completed upto the length of 400 ft. and on the Right Bank upto the length of 189 ft. Earth work excavation and construction of masonry are in progress.

Tala Kalale Dam:

Masonry work in the river bed and portions of the flanks has been brought to heights varying from 10 ft. to 20 ft. above the foundation level, and the construction of drainage gallery is keeping pace with the masonry work.

Power Channel and Tunnels:

Excavation from the Linganamakki Dam upto Malali Tunnel is in progress.

Civil Portion of Electrical Works:

Excavation in the outdoor yard area is in progress and about 93,000 cubic yards of earth has been excavated.

(b) The first stage is expected to be completed by the end of December, 1962.

ग्राम सेवक और सेविकाएं

*१२२८. श्री स. डी. मिश्र : क्या साक्षर तथा कृषि मंत्री यह बताने की कृपा करेंगे कि :

(क) ग्राम सेवकों तथा सेविकाओं के प्रशिक्षण के लिये चुने जाने की क्या योग्यतायें हैं;

(ख) क्या उनके लिये अंग्रेजी भाषा जानना जरूरी है; और

(ग) यदि हां, तो इसके क्या कारण हैं ?

कृषि मंत्री (डा० पं० शा० वेदमुख) :

(क) योग्यतायें जिनकी केन्द्रीय सरकार ने सिफारिश की हैं और जिनको राज्य सरकारों ने असूली तौर पर मंजूर किया है वे देहाती पृष्ठभूमि और शारीरिक योग्यता के साथ हाई स्कूल या उसके बराबर की परीक्षा है। राज्य सरकारें इन विद्या सम्बन्धी योग्यताओं में पिछड़ी जातियों और भूतपूर्व सैनिकों के लिये नरमी कर सकती हैं। ग्राम सेविकाओं के लिये इन योग्यताओं को उन क्षेत्रों के लिये भी नरम किया जा सकता है जहाँ पर मांगी गई विद्या सम्बन्धी योग्यताओं वाले योग्य उम्मीदवार न मिल सकें।

(ख) जी नहीं।

(ग) प्रश्न ही नहीं होता।

Ship Repairing Facilities

*1235. { Shri Ram Krishan Gupta:
Shri S. C. Samanta:
Shri Subodh Hansda:
Shri R. C. Majhi:
Shri T. B. Vittal Rao:
Shri Pangarkar:

Will the Minister of Transport and Communications be pleased to refer to the reply given to Unstarred Question No. 857 on the 3rd December, 1959 and state:

(a) whether Government have since considered the report submitted by the Committee appointed to investigate into the existing shipping repair facilities; and

(b) if so, the result thereof?

The Minister of Transport and Communications (Dr. P. Subbarayan): (a) and (b). The recommendations of the Committee are still under consideration of the Government.

Third Thermal Plant of D.V.C.

*1236. { Shri S. C. Samanta:
Shri Subodh Hansda:
Shri R. C. Majhi:

Will the Minister of Irrigation and Power be pleased to state whether the third Thermal Plant for D.V.C. at Chandrapara has come into existence?

The Deputy Minister of Irrigation and Power (Shri Hathi): No, Sir.

Offences on Railways in Punjab

*1237. Shri Ajit Singh Sarbadi: Will the Minister of Railways be pleased to state:

(a) whether in view of the increase in offences on Railways in Punjab during the last few months any steps have been taken to check these incidents; and

(b) if so, what special measures have been taken?

The Deputy Minister of Railways (Shri S. V. Ramaswamy): (a) Information received from the State Police shows that there has been no increase in crime on Railways in Punjab.

(b) Does not arise.

Pipli-Konarak Road, Orissa

*1239. { Shri Sanganna:
Shri Chintamani Panigrahi:

Will the Minister of Transport and Communications be pleased to refer to the reply given to Unstarred Question No. 1984 on the 2nd September, 1959, and state:

(a) whether any further financial assistance has since been given to the Government of Orissa for the completion of the Pipli-Konarak Road;

(b) if so, to what extent; and

(c) whether the amount already given has been fully utilized by the Government of Orissa?

The Minister of Transport and Communications (Dr. P. Subbarayan): (a) No.

(b) Does not arise.

(c) A total sum of Rs. 18 lakhs has been sanctioned for this project out of which only Rs. 12 lakhs has been utilized by the State Government, so far.

Wheat Mission

*1239. { Shri Subodh Hansda:
Shri R. C. Majhi:
Shri S. C. Samanta:
Shri N. R. Muniswamy:
Shri P. G. Deb:
Shri Aurobindo Ghosal:

Will the Minister of Food and Agriculture be pleased to state:

(a) whether it is a fact that Wheat Mission from abroad has visited India;

(b) if so, the object of visiting our country; and

(c) whether the Mission has come at the invitation of the Government of India?

The Deputy Minister of Food and Agriculture (Shri A. M. Thomas): (a) Yes, Sir.

(b) To study mainly the trend of wheat consumption and India's possible needs in future.

(c) The Mission has been sent out by the Wheat Utilization Committee, composed of representatives of the main Surplus Wheat Producing Countries, to visit Japan, India and Indonesia. The Government of India agreed to the Mission's visit to India.

Overseas Communications Service Radio

*1240. **Shri P. K. Deo:** Will the Minister of Transport and Communications be pleased to state:

(a) whether overseas communications service radio was recently opened at Madras;

(b) if so, with which of the countries this will have wireless link; and

(c) the amount spent over this project?

The Minister of Transport and Communications (Dr. P. Subbarayan): (a) Yes, Sir. A Radio Telecommunication Centre was opened at Madras on the 5th March, 1960.

(b) To begin with, direct Wireless Telegraph Service with London and direct Wireless Telephone Services with Singapore and Malaya (Kuala Lumpur) have been established.

(c) Rs. 15-80 lakhs approximately.

Medical Colleges at Rohtak and Chandigarh

*1241. **Shri Ajit Singh Sarhadi:** Will the Minister of Health be pleased to state:

(a) whether the Punjab Government have sought any help in regard to opening of any Medical College at Rohtak and Chandigarh;

(b) if so, the nature of the schemes submitted; and

(c) the Central Government's reaction thereto?

The Minister of Health (Shri Kar-markar): (a) and (b). The Government of Punjab have sought financial help from the Centre for the establishment of a Medical College at Rohtak. No such request has been received in regard to the establishment of a Medical College at Chandigarh.

(c) The State Government have been informed that no financial assistance can be given to them during the current Plan Period for the establishment of a Medical College at Rohtak.

Sewage Overflowing into Yamuna

*1242. **Shri Ram Krishan Gupta:** Will the Minister of Health be pleased to state the nature of progress made so far in construction and completion of works for preventing the overflow of sewage into the Jamuna?

The Minister of Health (Shri Kar-markar): A statement is laid on the

Table of the Lok Sabha. [See Appendix III, annexure No. 35].

Tungabhadra High Level Canal Scheme

1652. **Shri Rami Reddy:** Will the Minister of Irrigation and Power be pleased to state:

(a) the works proposed by the Tungabhadra Board in the revised project report of the year 1956 for inclusion in the Tungabhadra High Level Canal Scheme;

(b) the extent proposed for irrigation as per this revised project;

(c) the extent (acreage) proposed for irrigation under each of the works as per this revised project;

(d) the works that were not accepted by the Central Water and Power Commission for inclusion in this project;

(e) the works recommended by the Central Water and Power Commission for commission in this project;

(f) the reasons for such recommendations; and

(g) the modifications that were ultimately made in respect of this project?

The Deputy Minister of Irrigation and Power (Shri Hathi): (a) (1) High level canal 116 miles long taking off from high level sluices of Tungabhadra Dam;

(2) Guntakal Branch taking off at mile 116 of High Level Canal;

(3) Urvakonda cut at 116M OF 164Ft. to carry high level canal waters into the Pennar river;

(4) Mid-Pennar Regulator on the Pennar river, 16 miles below the infall of high level canal waters;

(5) Mid-Pennar North Canal;

(6) Mid-Pennar South Canal including Tadpatri Branch;

(7) Chitravati anicut at Goddumani across Chitravati river, a tributary of Pennar river;

(8) Pullivendla Branch;
(9) Gandikota weir;
(10) Cuddapah North Canal; and
(11) Cuddapah South Canal including canal beyond Papagni river.

(b) 4,58,105 acres.

(c) (i) High Level Canal	Acres
mile 0 to 116	1,71,600

(ii) Guntakal Branch	62,425
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(iii) Mid-Pennar North canal	13,500
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(iv) Mid-Pennar South Canal including Tadipatri Branch.	70,615
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(v) Pullivendla Branch.	54,965
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(vi) Cuddapah North Canal	50,000
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(vii) Cuddapah South Canal.	35,000
Total:	4,58,105

(d) and (e). (i) Chitravati anicut.

(ii) Pullivendla Branch.

(iii) Papagni Regulator.

(iv) Canal beyond Papagni Regulator.

(f) The items shown against (d) above included the ayacut benefited by the supplemental supply available from Pennar catchment, which was excluded as this project was confined to the use of Tungabhadra waters.

(g) Subsequently on the recommendations of the Technical Advisory Committee, the project was suggested to be executed in two stages. Stage I of the project estimated to cost Rs. 13.0 crores will comprise the construction of the following items:—

(i) Unlined High Level Canal from Head to mile 116 to carry 2300 cusecs head discharge and to irrigate an area of 1,03,000 acres;

(ii) Urvakonda cut to carry 1000 cusecs;

(iii) Mid-Pennar Regulator;

(iv) Mid-Pennar North Canal to irrigate 13,500 acres; and

(v) Mid-Pennar South Canal with a capacity of 800 cusecs including Tadipatri Branch to irrigate 70,615 acres.

The rest of the works indicated below are proposed to be executed in Stage II of the project:—

(i) Widening and deepening the main canal to increase its capacity from 2,300 cusecs to 4,000 cusecs resulting in irrigation of an additional area of 68,800 acres.

(ii) Increasing the carrying capacity of Urvakonda cut from 1,000 cusecs to 1,584 cusecs.

(iii) Guntakal Branch to irrigate 62,425 acres.

(iv) Increasing the carrying capacity of Mid-Pennar South Canal from 800 cusecs to 12,98 cusecs.

(v) Gandikota weir.

(vi) Cuddapah North Canal to irrigate 50,000 acres.

(vii) Guddapah South Canal to irrigate 20,136 acres.

Minor Irrigation in Tripura

1653. **Shri Dasaratha Deb:** Will the Minister of Irrigation and Power be pleased to refer to the reply given to Unstarred Question No. 2025 on the 2nd September, 1959 and state:

(a) whether the proposal for the creation of a Minor Irrigation Division in Tripura Public Works Department has been finalised; and

(b) if so, how many engineers from the Central Water and Power Commission have been deputed in Tripura to carry out necessary works there?

The Deputy Minister of Irrigation and Power (Shri Hathi): (a) Yes.

(b) One Executive Engineer and three Assistant Engineers have been deputed from the Central Water and Power Commission.

Road Accidents in Delhi

1654. **Shri D. C. Sharma:** Will the Minister of Transport and Communications be pleased to state:

(a) the number of road accidents in Delhi during 1960 so far (month-wise) in which Delhi Transport Undertaking buses were involved; and

(b) the steps taken or proposed to be taken to check the accidents?

The Minister of Transport and Communications (Dr. P. Subbarayan): (a) 86, 80 and 25 cases of accidents, in which Delhi Transport Undertaking buses were involved, were reported to the police during January, February and March (upto 15-3-1960) respectively.

(b) the following steps have been taken to check the accidents:—

(i) Thorough training is being given to the drivers of Delhi Transport Undertaking vehicles before they are taken in regular service. During the training period, which is of two months duration, special attention is paid to develop cautious and careful habits among the trainees and they are given various tests in order to judge their suitability for driving a public service vehicle.

(ii) The buses of the Undertaking have been fitted with speed governors which do not give any latitude to the drivers to indulge in reckless overspeeding while driving buses.

(iii) Special squads in mobile jeeps, equipped with speed checking equipment, are detailed for regular checking and disciplinary action is taken against the drivers who are found to be indulging in overspeeding. Special liaison is also kept with the Traffic Police authorities who are constantly carrying out special checking for over-speeding and dangerous driving.

(iv) The drivers are also deputed in batches for short refresher

course in the training school run by the Delhi Transport Undertaking.

Overbridge at Jangaon

1655. **Shri Madhusudan Rao:** Will the Minister of Railways be pleased to state:

(a) the progress regarding the construction of an overbridge at Jangaon in Andhra Pradesh;

(b) what is the estimated cost of the bridge; and

(c) when the bridge will be ready for traffic?

The Deputy Minister of Railways (**Shri Shah Nawaz Khan**): (a) and (b). A request has been received by the Railway Administration from the Government of Andhra Pradesh, for provision of an overbridge in replacement of the existing level crossing near Jangaon station in the Railway's Programme for 1960-61. The plans and estimates are under preparation in consultation with the State Government.

(c) It is too early to indicate any date as the execution of the work will depend on the State Government's approval to the plans and acceptance of their share of the cost.

Visakhapatnam Port

1656. **Shri D. C. Sharma:** Will the Minister of Transport and Communications be pleased to refer to the reply given to Unstarred Question No. 1492 on the 16th December, 1959 and state the nature of further progress made so far in the development of Visakhapatnam Port?

The Minister of Transport and Communications (**Dr. P. Subbarayan**): The revised estimates for the construction of the four additional berths have since been sanctioned.

Development of Indigenous Systems of Medicine in Andhra Pradesh

1657. **Shri M. V. Krishna Rao:** Will the Minister of Health be pleased to state:

(a) the amount given to Andhra Pradesh for the development of indigenous system of medicine for the year 1959; and

(b) the amount asked for the year 1960?

The Minister of Health (**Shri Kar-markar**): (a) An amount of Rs. 30,000 has been given to two institutions in Andhra Pradesh during 1959-60. In addition to this an amount of Rs. 1 lakh has been allotted during 1959-60 to the State Government for development of Indigenous System of Medicine. The actual amount utilised by the State Government is not known.

(b) The State Government have asked for a provision of Rs. 1.50 lakhs during 1960-61.

Forest Development in Andhra Pradesh

1658. **Shri M. V. Krishna Rao:** Will the Minister of Food and Agriculture be pleased to state the amount allotted to Andhra Pradesh during the Second Five Year Plan period so far for forest development?

The Minister of Agriculture (**Dr. P. S. Deshmukh**): A sum of Rs. 21,99,425 has been allotted so far to Andhra Pradesh for forest development during the Second Five Year Plan as indicated below:

	Loan	Grant
	Rs.	Rs.
1956-57 .	32,325	1,00,500
1957-58 .	5,64,400	28,200
1958-59 .	5,04,000	84,000
1959-60 .	7,34,000	1,52,000
Total .	18,34,725	3,64,700

Advance Pay to P & T Staff of Flood-Affected Areas

1659. **Shri Ram Krishan Gupta:** Will the Minister of Transport and Communications be pleased to refer to the reply given to Unstarred Question No.

893 on the 3rd December, 1959 and state at what stage is the proposal to sanction advance of pay to the affected Posts and Telegraphs Staff in the flood-affected areas in West Bengal, considering the recent floods as natural calamity?

The Minister of Transport and Communications (Dr. P. Subbarayan): Orders for the grant of an advance of one month's pay to the affected staff have been issued.

Central Nursing Service

1660. Shri Ram Krishan Gupta: Will the Minister of Health be pleased to refer to the reply given to Unstarred Question No. 642 on the 30th November, 1959 and state the nature of progress made so far in the constitution of a Central Nursing Service?

The Minister of Health (Shri Kar-markar): The financial implications and other details in regard to the proposed Central Nursing Service are being worked out.

C.D. Programme in Andaman and Nicobar Islands

1661. Shri Pangarkar: Will the Minister of Community Development and Cooperation be pleased to state the steps taken to intensify the Community Development Programme in Andaman and Nicobar Islands during the year 1959-60?

The Minister of Community Development and Co-operation (Shri S. K. Dey): A statement indicating the steps taken to intensify the Community Development Programme in Andaman and Nicobar Islands is laid on the Table of the House.

STATEMENT

With a view to intensify execution of the Community Development Programme, the following steps have been taken by the Andaman and Nicobar Islands Administration:

1. Agriculture:

(a) Preparation of Agricultural Production Plans in 11 villages of South Andaman Block.

(b) Plant protection work in coconut plantations in Car-Nicobar Block intensified.

(c) Paddy Crop Competition organised in South Andaman Block.

2. Panchayats:

In order to introduce Statutory panchayats in villages steps are being taken to promulgate soon Panchayat regulations.

3. Cooperatives:

Scheme for introducing service co-operatives to cover all villages in South Andaman Block are being worked out.

4. Training:

(a) Scheme for training of non-official personnel in principles of co-operative development and management in Car-Nicobar Block have been finalised and will be put into operation from 1st April, 1960.

(b) Gram Sahayaks Training Camps have been organised to help the cultivators and to impart training to them with regard to improved techniques, implements, seeds etc.

5. Village Industries:

(a) With a view to impart training to village artisans one training-cum-production centre in Blacksmithy and carpentry and one training-cum-production centre in cane and bamboo work set up in South Andaman Block.

(b) One women training centre for tailoring and garment making, one training centre in cane and bamboo work and one Wardha Ghani Oil pressing unit proposed to be started soon.

6. General:

(i) A batch of 15 Nicobaris from Car-Nicobar and another batch of 30 farmers from South Andaman Block visited World Agriculture Fair in Delhi.

(ii) A batch of 25 Nicobaris from Car-Nicobar Block undertook Bharat

Darshan Tour for better understanding of objectives of Community Development Programme.

Thefts on C. Railway

1662. **Shri Pangarkar:** Will the Minister of Railways be pleased to state:

(a) the number of cases of thefts, pilferage and loss of property that have occurred during the year 1959 on the Central Railway; and

(b) how does this compare with the year 1958?

The Deputy Minister of Railways (Shri Shahnawaz Khan): (a) and (b). A statement is laid on the Table of the House.

STATEMENT

Year	No. of cases of thefts and pilferages reported.	Value involved.	Value of property recovered
		Rs.	Rs.
1959	14,513	8,10,421	1,97,292
1958	12,843	7,8,658	1,90,046

Electrification of Manmad-Kachigauda Section

1663. **Shri Pangarkar:** Will the Minister of Railways be pleased to state the progress made so far in the electrification of Railway Stations on Manmad-Kachigauda section of the Central Railway?

The Deputy Minister of Railways (Shri Shahnawaz Khan): The position of electrification of stations on Manmad-Kachigauda section of Central Railway is as under:

1. Manmad
2. Aurangabad
3. Purna
4. Nander
5. Nizamabad
6. Bolarum
7. Bolarum-Bazar
8. Alwal

- | | |
|--------------------|--|
| 9. Ammuguda | } These have already been electrified. |
| 10. Ramakistapuram | |
| 11. Safilguda | |
| 12. Malkajgiri | |
| 13. Lallaguda | |
| 14. Secunderabad | } |
| 15. Sitafalmandi | |
| 16. Jamai Osmania | |
| 17. Kacheguda | |

- | | |
|----------------------|-------------------------------------|
| 18. Cavalry Barracks | } Expected to be energised shortly. |
| 19. Jalna | |

Accidents on Secunderabad Division

1664. **Shri Pangarkar:** Will the Minister of Railways be pleased to state:

(a) the number of goods train accidents (collisions and derailments) on Secunderabad Division during the second half of the year 1959;

(b) the nature of these accidents;

(c) the number of passenger trains cancelled as a result of the goods train accidents; and

(d) the loss incurred by the Railways due to the accidents during the above period?

The Deputy Minister of Railways (Shri Shahnawaz Khan): (a) Fifteen.

(b) Collision-Nil Derailments-15.

(c) Only one passenger train.

(d) The approximate cost of damage to Railway property due to these accidents was Rs. 79,000.

Ticketless Travel

1665. { **Shri P. K. Deo:**
Shri Rameshwar Tantia:
Shri C. K. Bhattacharya:

Will the Minister of Railways be pleased to state:

(a) the number of ticketless travellers detected from 1st April, 1959 up to date;

(b) how it compares with the corresponding period of last year; and

(c) on which Railway there was largest detection of such ticketless travellers?

The Deputy Minister of Railways (Shri Shah Nawaz Khan): (a) and (b). The number of ticketless travellers detected from 1st April, 1959 to 31st January, 1960 was 67.3 lakhs as against 59.3 lakhs during the corresponding period of the last year.

(c) Eastern Railway.

Pay Commission Report in Respect of Railways

1666. { Shri A. K. Gopalan:
Shri S. M. Banerjee:

Will the Minister of Railways be pleased to state:

(a) whether Government orders on certain recommendations of Pay Commission report have resulted in serious repercussion among the Railway employees;

(b) if so, whether the All India Railwaymen's Federation has made any representation to this effect; and

(c) the reaction of Government thereto?

The Deputy Minister of Railways (Shri Shah Nawaz Khan): (a) There have been some protests against certain decisions of Government on the recommendations of the Pay Commission.

(b) The All India Railwaymen's Federation have sent representations against some of the decisions.

(c) The Government's reaction has been explained already by the Finance Minister in reply to the debate on the Pay Commission's recommendations in the Lok Sabha on 15-2-60 and Rajya Sabha on 18-2-60. The Minister of Railways has also dealt with certain aspects in his reply to the debate on the Railway Budget in the Lok Sabha on 1-3-1960.

हिमाचल प्रदेश में गोदाम

१६६७. श्री पद्म देव : क्या सामुदायिक विकास और सहकार मंत्री यह बताने की कृपा करेंगे कि हिमाचल प्रदेश में सहकारी समितियों द्वारा १९५९-६० में जो १६ गोदाम बनाये जाने थे, उनमें से से अब तक कितने बनाये गये हैं ?

सामुदायिक विकास और सहकार उप-मंत्री (श्री ब० सू० मूर्ति): हिमाचल प्रदेश में सहकारी समितियों द्वारा १९५९-६० में बनाये जाने वाली प्रस्तावित संख्या में से अभी तक कोई भी गोदाम पूरा नहीं हुआ है।

हिमाचल प्रदेश में पंचायतें

१६६८. श्री पद्म देव : क्या सामुदायिक विकास और सहकार मंत्री यह बताने की कृपा करेंगे कि :

(क) हिमाचल प्रदेश में ऐसी कितनी पंचायतें हैं जिन्हें योजनानुसार धोआर प्राप्त नहीं हुए हैं; और

(ख) इस कार्य के कब तक पूरा होने की सम्भावना है ?

सामुदायिक विकास और सहकार उप-मंत्री (श्री ब० सू० मूर्ति): (क) और (ख). हिमाचल प्रदेश में अभी ५१८ वर्तमान ग्राम पंचायतें धोआर या धोआरों के लिये अनुदान प्राप्त कर चुकी हैं।

हिमाचल प्रदेश में बन

१६६९. श्री पद्म देव: क्या खाद्य तथा कृषि मंत्री यह बताने की कृपा करेंगे कि :

(क) हिमाचल प्रदेश में किन-किन स्थानों पर सरकार वनों को काम में ला रही है; और

(ख) क्या हिमाचल प्रदेश के सभी बनों को काम में लाने की कोई योजना विचाराधीन है ?

कृषि उपमंत्री (श्री मो० बं० कृष्णप्पा) :

(क) हिमाचल प्रदेश के ऊपरी बशाहर बन विभाग में बनों को विभागीय तौर पर व्यापारिक ढंग से काम में लाया जा रहा है। मंडी और चम्बा बन विभागों में मंडी, जोगेंद्रनगर और चम्बा कस्बों के स्थानीय टिम्बर डिपॉर्षों के लिये, जहाँ टिम्बर को स्थानीय जनता की आवश्यकताओं के लिये बेचा जाता है, कुछ बनों को छोटे पैमाने पर विभागीय तौर से भी काम में लाया जाता है।

(ख) जी हां। दूसरे विभागों में बनों को आहिस्ता आहिस्ता विभागीय तौर से काम में लाने की एक योजना भी हिमाचल प्रदेश प्रशासन के विचाराधीन है।

Ship Building

1670. Shri Raghunath Singh: Will the Minister of Transport and Communications be pleased to state:

(a) whether Government propose to adopt the new method of ship-building in dry docks instead of on slipways for Second Ship-building Yard; and

(b) whether it has proved to be very successful and economical at Newport in Monmouthshire (England)?

The Minister of Transport and Communications (Dr. P. Subbarayan): (a) The new method of shipbuilding in dry docks instead of on slipways will need considerable study before it can be considered for ship construction on a commercial scale in India.

(b) It is reported in the press to have proved successful.

Nagar Canal Project in Himachal Pradesh

1671. { Shri Padam Dev:
Shri Hem Raj:

Will the Minister of Food and Agriculture be pleased to state:

(a) whether the Datt Nagar Kuhl Project in Tehsil Rampur of district Mahasu in Himachal Pradesh has been completed;

(b) whether this canal is fulfilling the needs of both Nagar and Nirath areas; and

(c) if not, the steps being taken by Government to fulfil the needs of these places?

The Deputy Minister of Agriculture (Shri M. V. Krishnappa): (a) and (b). There was an old water channel called Datt Nagar Kuhl, which was supplying water to Datt Nagar village only. This was considerably damaged and is no longer functioning. In its place, the Nirsoo Kuhl has been constructed at a higher level and it supplies water for irrigation to Datt Nagar as well as Nirsoo areas. The needs of the Nirath areas are met from another water channel called Nirath Kuhl.

(c) Does not arise.

Andaman Timber

1672. { Shri Raghunath Singh:
Sardar A. S. Saigal:

Will the Minister of Food and Agriculture be pleased to state:

(a) what are the scheduled prices fixed by Government for sale of hardwood, Andaman's match-wood, and plywood (Gurjan, Badam, white chuglam, Red dhup) per ton in Calcutta separately, month-wise for the last three years upto December, 1959 and the quantities of these timber sold in Calcutta and their rates; and

(b) what have been the Forest Department, Andamans cost of production, royalty, freight and loading

charges, and depot charges against each head (month-wise)?

The Minister of Agriculture (Dr. P. S. Deshmukh): (a) The prices per

ton of plywood and matchwood fixed by the Government of India for sale at Calcutta during the last 3 years (from 1-4-57) are as follows:

Name of the Species	(Rs. per ton)			
	from 1-4-57 to 30-9-57	from 1-10-57 to 28-2-59	from 1-3-59 to 31-7-59	from 1-8-59 to 30-11-59
Plywood				
Gurjan	249.00	252.00	252.00	255.50
Badam and White chuglam	191.50	194.50	203.00	206.50
Red Dhup	181.50	184.50	203.00	206.50
Matchwood.				
all species	187.00	190.00	193.00	196.50

The fixation of rates for Plywoods and Matchwoods beyond 30-11-59 is under the consideration of the Government in consultation with the Andamans Adm. No scheduled prices for hardwoods for sale in the Calcutta market are fixed by Government. They are sold in public auction as their sale is not a regular feature. Information about the quantities of plywood, matchwood and hardwood sold in the Calcutta market month-wise is being collected and will be placed on the Table of the House.

(b) Total cost upto Calcutta per ton.

	1957-58	1958-59
	Rs.	Rs.
Cost of production	92.46nP	84.26nP
Royalty.	18.75nP	18.75nP
Freight.	*80.00nP	**83.00nP
Loading charges	Rs.5.00 nP.	Rs.5.00 nP.
Depot charges@	15.00nP	appx. 15.00nP
	211.21nP	206.01nP

* From 1-4-57 to 30-9-57

** From 1-10-57 to date.

@ from 1-8-1959, the depot charges have increased from Rs. 15 per ton to Rs. 18.50 nP. per ton.

The total cost upto Calcutta for the year 1959-60 is not yet available as the commercial accounts for the year 1959-60 are not ready.

Railway Sleepers

1673. Shri Ajit Singh Sarhadi: Will the Minister of Railways be pleased to state:

(a) whether Punjab has been able to supply any sleepers during the year 1959; and

(b) if so, to what extent?

The Deputy Minister of Railways (Shri Shahnawaz Khan): (a) Yes; Sir.

(b) 21,067 B.G. Fir sleepers.

Recruitment of Women on Railways

1674. Shri Ajit Singh Sarhadi: Will the Minister of Railways be pleased to state:

(a) what special measures are being taken to have accelerated recruitment of women in the services such as clerks, stenographers, typists, telephone operators and tracers in the Railways and particularly in the catering departments of the Railways; and

(b) what is the policy of the Railway authorities in this connection?

The Deputy Minister of Railways (Shri Shah Nawaz Khan): (a) and (b). Instructions exist that Employment Notices relating to categories which do not involve outdoor work or work at inconvenient hours should clearly indicate that women are equally eligible with men. Furthermore, all women applicants who satisfy the minimum qualifications prescribed are called for the relevant test/interview.

Central Oil Seeds Committee

1675. Shri Aurobindo Ghosal: Will the Minister of Food and Agriculture be pleased to state:

(a) whether the Office of the Indian Central Oil Seeds Committee has been shifted to Hyderabad; and

(b) if so, what is the amount granted for its building programme?

The Minister of Agriculture (Dr. P. S. Deshmukh): (a) Yes, from the 1st October, 1953.

(b) Rs. 13,69,206, including the cost of land.

Chittaranjan Locomotive Works

1676. Shri S. M. Banerjee: Will the Minister of Railways be pleased to state:

(a) whether the workers engaged on production of locomotives in Chittaranjan are on piece work system;

(b) if so, whether they get 50 per cent more of their basic wage as bonus; and

(c) whether a statement showing their total basic wage for December, 1959 and bonus on it separately will be laid on the Table?

The Deputy Minister of Railways (Shri Shah Nawaz Khan): (a) The workers and supervisors upto the level of Chargeman directly engaged on the production of locomotives have been brought under an incentive bonus scheme.

(b) Under this scheme, the maximum bonus earning of a worker has been limited to 50 per cent of his standard basic wage.

(c) The amount of total basic wages and bonus earnings for December 1959 are given below:

Total basic wages of workers on incentive scheme Rs. 2,24,000.

Total bonus earnings of the workers Rs. 89,000.

Co-operative Farming

**1677. { Shri Ajit Singh Sarhadi:
Shri Bhakt Darshan:**

Will the Minister of Community Development and Co-operation be pleased to refer to the reply given to Unstarred Question No. 381 on the 23rd February, 1960 regarding the report submitted by Dr. Otto Schiller on Co-operative Farming in India and state whether any recommendations made by him have been accepted by Government?

The Deputy Minister of Community Development and Co-operation (Shri B. S. Murthy): The report on the Problems of Co-operative Farming in India by Dr. Otto Schiller was received in June 1959 when the Working Group on Co-operative Farming was appointed by the Government of India to help the formulation of a programme for this purpose based on available experience. The copies of Dr. Schiller's report were circulated to the Working Group. From the report of the Working Group it appears that the Group has taken into account the findings of Dr. Schiller while formulating their recommendations. The recommendations of the Working Group are under consideration and the Government are likely to take final decisions in the near future.

मेडिकल कालेज

६७८. { श्री क० भे० मालवीय :
 { श्री खात्रीवाला :
 { श्री मानिक भाई अग्रवाल :

क्या स्वास्थ्य मंत्री यह बताने की कृपा करेंगे कि :

(क) देश में कितने मेडिकल कालेजों (प्रोपेध-विज्ञान-महाविद्यालय) में आधुनिक चिकित्सा प्रणाली के अनुसार शिक्षा दी जा रही है और वे कहाँ कहाँ स्थित हैं ;

(ख) इन कालेजों में पाठ्यक्रम की अवधि क्या है ; और

(ग) इनमें से प्रत्येक कालेज में शुल्क की दरें क्या हैं ?

स्वास्थ्य मंत्री (श्री करमरकर) :

(क) आधुनिक चिकित्सा प्रणाली के अनुसार शिक्षा देने वाले ५५ मेडिकल कालेज हैं, वे निम्नलिखित स्थानों पर स्थित हैं :—

१. आंध्र मेडिकल कालेज, विशाखा-पत्तनम् ।
२. गांधी मेडिकल कालेज, हैदराबाद ।
३. मेडिकल कालेज, गुण्टूर ।
४. मेडिकल कालेज, कुरुनूल ।
५. उसमानिया मेडिकल कालेज, हैदरा-बाद ।
६. मेडिकल कालेज, काकीनाड ।
७. मेडिकल कालेज, वारंगल ।
८. मेडिकल कालेज, डिब्रुगढ़ ।
९. दरभंगा मेडिकल कालेज, लहेरिया सराय ।
१०. मेडिकल कालेज, रांची ।
११. प्रिंस घाफ वेल्ज मेडिकल कालेज, पटना ।
१२. वी० जे० मेडिकल कालेज, पूना ।
१३. वी० जे० मेडिकल कालेज, अहमदा-बाद ।
१४. ग्रांट मेडिकल कालेज, बम्बई ।

१५. मेडिकल कालेज, बड़ौदा ।

१६. मेडिकल कालेज, औरंगाबाद ।

१७. एम० पी० शाह मेडिकल कालेज, जामनगर ।

१८. सेठ जो० एस० मेडिकल कालेज, बम्बई ।

१९. टी० एन० मेडिकल कालेज, बम्बई ।

२०. मेडिकल कालेज, नागपुर ।

२१. अखिल भारतीय चिकित्सा विज्ञान संस्था, नई दिल्ली ।

२२. लेडो हार्डिंग मेडिकल कालेज, नई दिल्ली ।

२३. मौलाना आजाद मेडिकल कालेज, नई दिल्ली ।

२४. मेडिकल कालेज, कोजिकोड ।

२५. मेडिकल कालेज, त्रिचेन्द्रम ।

२६. मेडिकल कालेज, इन्दौर ।

२७. मेडिकल कालेज, भोपाल ।

२८. मेडिकल कालेज, ग्वालियर ।

२९. मेडिकल कालेज, जबलपुर ।

३०. क्रिश्चियन मेडिकल कालेज, बैलोर ।

३१. मद्रास मेडिकल कालेज, मद्रास ।

३२. मदुरई मेडिकल कालेज, मदुरै ।

३३. स्टैनले मेडिकल कालेज, मद्रास ।

३४. तन्जीर मेडिकल कालेज, तन्जीर ।

३५. बंगलौर मेडिकल कालेज, बंगलौर ।

३६. मेडिकल कालेज, हुबली ।

३७. मेडिकल कालेज, मनीपाल ।

३८. मेडिकल कालेज, मैसूर ।

३९. एस० सो० वी० मेडिकल कालेज, कटक ।

४०. मेडिकल कालेज, बरला ।

४१. क्रिश्चियन मेडिकल कालेज, लुधियाना ।

४२. मेडिकल कालेज, घमृतसर ।
 ४३. मेडिकल कालेज, पटियाला ।
 ४४. मेडिकल कालेज, पांडिचेरी ।
 ४५. सवाई मान सिंह मेडिकल कालेज, जैपुर ।
 ४६. मेडिकल कालेज, बीकानेर ।
 ४७. जी० एस० बी० मेमोरियल मेडिकल कालेज, कानपुर ।
 ४८. किंग जार्ज मेडिकल कालेज, लखनऊ ।
 ४९. सरोजिनी नायडू मेडिकल कालेज, भागरा ।
 ५०. बंकुरा सम्मिलानी मेडिकल कालेज बंकुरा ।
 ५१. कलकत्ता नेशनल मेडिकल इंस्टीट्यूट, कलकत्ता ।
 ५२. मेडिकल कालेज, कलकत्ता ।
 ५३. नीलरतन सरकार मेडिकल कालेज, कलकत्ता ।
 ५४. आर० जी० कार मेडिकल कालेज, कलकत्ता ।
 ५५. मेडिकल कालेज, श्रीनगर ।

(ख) और (ग). आवश्यक सूचना एकत्र की जा रही है और यथासमय सभा की भेज पर रख दी जायेगी ।

Drugs and Magic Remedies Act

1679. { Shri Raghunath Singh:
 Shri Prakash Vir Shastri:

Will the Minister of Health be pleased to state:

(a) whether the Supreme Court has given judgment in case of M/S. Hamdard Dawakhana, New Delhi whereby a portion of Clause (d) of Section 3 and Section 8 of the Drugs and Magic Remedies (Objectionable Advertisement) Act have been declared unconstitutional; and

36 (Ai) L.S.—3.

(b) when the Ministry proposes to amend the Act in the light of the views expressed by the Supreme Court?

The Minister of Health (Shri Kar-markar): (a) Yes. In its judgment dated the 18th December, 1959 on Writ Petitions No. 81, 62, 63, and 3 of 1959 filed by M/s. Hamdard Dawakhana and others, the Supreme Court has held Section 8 and part of Section 3(d) of the Drugs and Magic Remedies (Objectionable Advertisements) Act, 1954 as ultra vires of the Constitution.

(b) The question of amending the Act in the light of the Supreme Court judgment is under consideration in consultation with the Ministry of Law.

U.N. Mission Report on Community Development

1680. Shri Tangamani: Will the Minister of Community Development and Co-operation be pleased to state:

(a) whether the report of U.N. Mission on working of Community Development in the country has been forwarded to State Governments for eliciting their views; and

(b) if so, which of the States have so far sent their views to the Central Government?

The Deputy Minister of Community Development and Co-operation (Shri B. S. Murthy): (a) Yes Sir. The State Governments views were invited only on matters which require examination and implementation at the State level.

(b) No State has so far sent its views.

स्लोडन स्टेट अस्पताल, शिमला

१६८१. श्री एस. रेव : क्या स्वास्थ्य मंत्री यह बताने की कृपा करेंगे कि :

(क) स्लोडन स्टेट अस्पताल, शिमला की इमारत का निर्माण कदाधरम्भ हुआ था और वह कब पूरा होगा ;

(ख) उस पर अब तक कितना खर्च हो चुका है ; और

(ग) इस प्रयोजन के लिये कुल कितनी राशि मंजूर की गयी है ?

स्वास्थ्य मन्त्री (श्री करमरकर) : (क) स्नोडन अस्पताल, शिमला की इमारत का निर्माण अप्रैल, १९५७ में प्रारम्भ हुआ था और वित्तीय वर्ष १९६१-६२ के अन्त तक उसके पूरे हो जाने की आशा है।

(ख) १०.७७ लाख रुपये।

(ग) २२.५० लमख रुपये।

मध्य प्रदेश में भांडागार

१६८२. श्री राधे लाल व्यास : क्या साध तथा कृषि मंत्री यह बताने की कृपा करेंगे कि :

(क) मध्य प्रदेश में किन किन स्थानों पर अनाज रखने के लिये भांडागार बनाने का विचार है, उनमें से प्रत्येक पर कितनी लागत आयेगी और कितना अनाज रखा जा सकेगा ;

(ख) इन भांडागारों का निर्माण कब तक पूरा हो जायेगा ; और

(ग) क्या इन भांडागारों के निर्माण पर होने वाले खर्च में राज्य सरकार कोई अंशदान देगी ?

साध और कृषि उपमंत्री (श्री ल० म० बसन्त) : (क) केन्द्रीय भांडागार व्यवस्था निगम ने निम्न भांडागारों के निर्माण का कार्य अपने ऊपर लिया है :—

केन्द्र	क्षमता	अनुमानित लागत
	(टन)	(लाख रु० में)
भाटापारा	५,०००	६.५६
मुरैना	४,५००	५.४०
इन्दौर	३,०००	४.६७

इसके अतिरिक्त मध्य प्रदेश राज्य भांडागार व्यवस्था निगम का रु० २५,००,००० की अनुमानित लागत पर २० भांडागार, जिनमें प्रत्येक की क्षमता १००० टन होगी, निम्न-लिखित केन्द्रों में बनाने की विचार है।

१. हरदा
२. पिपारिया
३. दमोह
४. सतना
५. रायगढ़
६. राजनन्दागांव
७. अशोकनगर
८. खरगोन
९. ग्वालियर
१०. दुर्ग
११. धमतरी
१२. बिलासपुर
१३. बालाघाट
१४. शुजालपुर
१५. भेलसा
१६. नीमिच
१७. खंडवा
१८. गडरबाड़ा
१९. दतिया
२०. हरपालपुर

(ख) मुरैना में भांडागार का निर्माण कार्य नवम्बर, १९६० के अन्त तक और भाटापारा तथा इन्दौर में मार्च, १९६१ के अन्त तक पूरा हो जाने की संभावना है। राज्य भांडागार व्यवस्था निगम का (क) में बताये गये भांडागारों का निर्माण कार्य द्वितीय पंचवर्षीय योजना की अवधि के अन्त तक पूरा करने का विचार है।

(ग) राज्य सरकार केन्द्रीय या राज्य भांडागारों के लागत में कोई सीधा अंशदान नहीं देती है। फिर भी राज्य की प्राचीन संसद् पूंजी राज्य सरकार देती है और शेष प्राप्ति केन्द्रीय भांडागार व्यवस्था निगम।

Construction of Bridges in Manipur

1683. Shri L. Achaw Singh: Will the Minister of Transport and Communications be pleased to state:

(a) whether it is a fact that construction of bridges in Manipur was suspended due to non-availability of girders in the first week of March, 1960; and

(b) if so, why the girders were not obtained in time?

The Minister of Transport and Communications (Dr. P. Subbarayan): (a) and (b). No Sir. Eight bridges are in various stages of construction in Manipur. Only one bridge has so far progressed to a stage where girders are required for decking. The girders are expected to be received during April 1960.

Cross-Walk Signals in Delhi

1684. Shri D. C. Sharma: Will the Minister of Transport and Communications be pleased to state:

(a) whether the cross-walk signal experiment in Delhi has been a success;

(b) if so, the names of the places where such cross-walk signals are going to be installed;

(c) the total amount to be spent on the same; and

(d) the time to be taken to instal them?

The Minister of Transport and Communications (Dr. P. Subbarayan): (a) One flashing signal cross walk on Janpath, New Delhi has been installed by the Central Road Research Institute recently and its working is under observation. So far, the results have been encouraging.

(b) For further observations, some more cross-walk flashing signals will be installed at other places, like Daryaganj, near Irwin Hospital, Kashmere Gate, etc.

(c) One cross walk flashing signal costs approximately Rs. 1,800 exclud-

ing installation charges. The total cost will depend on the number of signals which will be installed.

(d) The time to be taken to instal such signals at other places will depend on the results of the working of the signals on Janpath.

Railway Out-agencies in Bihar

1685. Shri Anirudh Sinha: Will the Minister of Railways be pleased to the reply given to Unstarred Question No. 64 on the 17th November, 1959 and state:

(a) how many Railway out-agencies which were sanctioned to be opened during 1959-60 in Bihar have actually been opened up to the end of February, 1960; and

(b) what are the newly opened Railway out-agencies which are actually functioning?

The Deputy Minister of Railways (Shri Shah Nawaz Khan): (a) and (b). Out-agencies at Simrahi and Tribeniganj have been opened out of the list furnished in reply to Question No. 64.

Besides these, one more out-agency has been opened at Bhabua Town in Bihar.

12.45 hrs.

PAPERS LAID ON THE TABLE

STATEMENT re: ACCIDENT OCCURRED IN NIZAMUDDIN TRUNK SEWER

The Minister of Health (Shri Karmarkar). Sir, I beg to lay on the Table a copy of each of the following papers:—

(i) statement regarding accident which occurred on the 19th December, 1959 in the Nizamuddin trunk sewer resulting in the death of four persons.

(ii) Report of the Committee appointed to investigate the collapse of sewer excavation near Nizamuddin on 19th December, 1959.

[Shri Karmarkar]

- (iii) Resolution passed by the Water Supply and Sewage Disposal Committee of the Municipal Corporation of Delhi.

[Placed in Library. See No. LT-2059/60].

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE

OBSTRUCTION TO SCHEDULED CASTE PEOPLE

Shri B. K. Galkwad (Nasik): Sir, under Rule 197, I beg to call the attention of the Minister of Home Affairs to the following matter of urgent public importance and I request that he may make a statement thereon:—

"The reported obstruction to the Scheduled Caste people in drawing water from a public well in village Hartal, Delhi."

The Minister of State in the Ministry of Home Affairs (Shri Datar): Enquiries made from the Delhi Administration show that the matter pertains to village "Hasthsal" and not "Hartal". It is reported that in this village there is a well located in land belonging to one, Shri Jai Narain Saini, and that this well has been in use by the members of Scheduled Castes for drinking water purposes. There was a dispute in regard to the ownership of the well and the matter became the subject-matter of litigation in civil courts. The Harijans, who had objected to the use of the well by the owner of the land for irrigation purposes, lost the suit and so lost in appeal.

On the 28th March, 1960 a deputation on behalf of the Harijans and others of the village saw the Deputy Commissioner, Delhi, and complained that Shri Jai Narain had constructed a wall and obstructed access to the well. In view of the decisions of the

civil courts, the district authorities can only make an attempt to find an amicable solution and they are doing so.

Shri B. K. Galkwad: On a point of information, Sir, I want to know whether it is a fact that that well was repaired by the local board ten years back by spending Rs. 900 on it and if it is so, how is that it is not a public well?

Shri Datar: I am not aware of this. But it was being used by the members of the scheduled castes. I may add that there is another public well also in the village.

CORRECTION OF ANSWER TO STARRED QUESTION NO. 348

The Minister of Defence (Shri Krishna Menon): In reply to supplementary question by Shri Hem Barua arising out of Starred Question No. 348 I stated ".....a very reputable, high level officer, the Scientific Adviser, held one inquiry and held one view". This statement suggests that the Scientific Adviser held one of the two enquiries. That is not factually correct. Therefore, I would like the reply to be corrected as follows:—

".....a very reputable, high level officer, the Scientific Adviser, supporting one of the reports held one view."

12.05 hrs.

BOMBAY REORGANISATION BILL— Contd.

Mr. Speaker: The House will now proceed with further consideration of the following motion moved by Shri Govind Ballabh Pant on the 31st March, 1960, namely:

"That the Bill to provide for the reorganisation of the State of Bombay and for matters connected therewith be referred to a Joint

Committee of the Houses consisting of 45 members; 30 from this House, namely, Shri Shripad Amrit Dange, Shri B. N. Datar, Shri Bhauroo Krishnarao Gaikwad, Shri Maneklal Maganlal Gandhi, Shri Narayan Ganesh Goray, Shri Arun Chandra Guha, Shri R. M. Hajarnavis, Shri H. C. Heda, Shri Ajit Prasad Jain, Shri Gulabrao Keshavrao Jedhe, Dr. Gopalrao Khedkar, Shri Bhawanji A. Khimji, Shri Balvantray Gopaljee Mehta, Shri Narendrabhai Nathwani, Shri Ghanshyamlal Oza, Shri Shamrao Vishnu Parulekar, Kumari Maniben Vallabhbhai Patel, Shri Nanubhai Nichhabhai Patel, Shri Purushottamdas R. Patel, Shri Uttamrao L. Patil, Shri Shivram Rango Rane, Shri Ajit Singh Sarhadi, Shri M. Shankaraiya, Shri Vidya Charan Shukla, Shri Digvijaya Narain Singh, Shri M. S. Sugandhi, Shri N. R. M. Swamy, Swami Ramananda Tirtha, Shri Balkrishna Wasmik and Shri Indulal Kanaiyalal Yajnik

and 15 members from Rajya Sabha;

that in order to constitute a sitting of the Joint Committee the quorum shall be one-third of the total number of members of the Joint Committee;

that the Committee shall make a report to this House by the 14th April, 1960;

that in other respects the Rules of Procedure of this House relating to Parliamentary Committees will apply with such variations and modifications as the Speaker may make; and

that this House recommends to Rajya Sabha that Rajya Sabha do join the said Joint Committee and communicate to this House the names of members to be appointed by Rajya Sabha to the Joint Committee."

Dr. M. S. Aney may kindly continue his speech. He has already taken 26 minutes.

The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha): No time has been fixed for this Bill. May I therefore request you to take the opinion of the House? This may go on till 3.30 and we must finish it, because it is a reference to a Joint Committee.

Mr. Speaker: I agree. Should it go on till 3.30?

Hon. Members: Yes.

An Hon. Member: More than that.

Shri Braj Raj Singh (Firozabad): All of us should be allowed to have our say.

Shri Satya Narayan Sinha: At 2.30 or so you may call the Home Minister.

Mr. Speaker: At 2.30 I will call the hon. Home Minister, and it will conclude by 3.30 when we have to take up Private Members' Business.

Dr. Aney may sit and speak if he likes.

Dr. M. S. Aney (Nagpur): Yesterday I concluded on the note that the Vidarbha people would not like to be stopped, and I on their behalf stated and supported their right to have a separate State of Vidarbha.

Today I am going to put forward one or two arguments in support of this demand. Before that, I would like to refer to article 3 of the Constitution. I am not raising a point of order, but I am going to put the matter before the House with a view to show that though technically the requirements of article 3 are fulfilled, in my opinion, so far as Vidarbha is concerned, morally the requirements of the article are not fulfilled. That is what I want to show, and for that purpose, I shall first read the article.

Shri Tyagi (Dehra Dun): May I advise the Home Minister not to surrender his seat!

Dr. M. S. Aney: Article 3 says that in the case of Bills for the separation of territory etc., certain conditions are to be fulfilled, and those conditions are mentioned in the proviso to the article. The proviso is this:

"Provided that no Bill for the purpose shall be introduced in either House of Parliament except on the recommendation of the President and unless, where the proposal contained in the Bill affects the area, boundaries or name of any of the States, the Bill has been referred by the President to the Legislature of that State for expressing its views thereon within such period as may be specified in the reference or within such further period as the President may allow and the period so specified or allowed has expired."

In this case, these two things have been done. The matter was recommended by the President, and the President has also referred the matter for the consideration of the Bombay State Legislature, and the Members of the House have got the reports of the debate of that legislature before them.

What was the object of the framers of the Constitution in imposing these two conditions? The object was that Parliament or Members of this House will be competent to consider a measure of this kind only when they have got information about the views of the people or their representatives who are most vitally affected by the proposals of the measure. So, we have to see whether in the present case the views of the people of Vidarbha could be said to have been in the possession or in the hands of the House by having the report of the debate in the Bombay legislature. That is the point.

You know, Sir, that the present Members of the Bombay Legislature from Vidarbha were elected after the States Reorganisation Bill had been passed, and the election was fought on the issue of the bilingual State versus samyukta Maharashtra. That was the issue on which the elections in Vidarbha particularly were fought, and Vidarbha was congratulated that the Congress had succeeded in that section of Bombay State. The largest number of seats was won there by the Congress which mainly stood for the continuance and support of the bilingual State as against Samyukta Maharashtra for which a demand was being made by the people who opposed the Congress candidates. So, the present Members of the Bombay Legislature from Vidarbha had a mandate so to say from their constituencies to support the bilingual State of Bombay; probably it was also mentioned in the manifesto issued at that time. That was their position.

I shall not go into other matters. Later on, the question of the formation of unilingual States was referred to the Congress for investigation and report, and it so happened that the Congress Working Committee, on the advice of the nine member committee of which the hon. Home Minister was himself the chairman, recommended that the bilingual State should go. The proposals which are now mooted in this Bill are mainly based upon the recommendations made by that nine-man committee to the Working Committee and by the Working Committee to the Government of India. That is the position.

A sudden change was created, particularly for those who had been returned on the Congress ticket. The mandate on which the Members of the Bombay legislature from Vidarbha had been returned was different from the new situation that was created on account of the stand that was taken by the Government of India. I do not want to blame anybody in the matter; I am only putting the facts as they are.

So, there were Members in the Bombay legislature who thought that they must either accept the new decision or resign. There were certain Members who were strongly in favour of the formation of a separate State of Vidarbha and against Samyukta Maharashtra, and they explained their position. Some of them even tendered their resignation.

I do not blame anybody as I have already said. Somehow or other, when the Congress Working Committee adopted this resolution after considering the pros and cons of the question and came to the conclusion that the proposals recommended by the nine-man committee should be accepted, and made a recommendation to that effect to the Government of India, it became a new order of the Congress Working Committee to the Congress Members, and in the name of discipline they had to obey it. I do not know whether they agreed with the decision or not, I was not present there, but as loyal Congressmen they had to abide by the decision. We have always been loyal Congressmen, and we have been previously congratulated by everybody. The Congress Members of the legislature from Vidarbha were told that they had done their duty by putting forth their point of view, but that as Congressmen, their first duty was to the Congress Working Committee. So, it became a conflict between their duty to the Congress and their duty to the constituencies which they represented and the mandate they had received at the time of the elections.

Ultimately they agreed to abide by the decision of the Working Committee and the threatened resignations were not given, and I think that matter is closed now. But the point remains that those Members say that they saw that the decision was wrong, and not in the interests of the people of Vidarbha, but they had to accept it because it came from a body to which they were loyal. Whether it is so or not,

it is for those to decide who know the matters more intimately than I. They have stated something like that. The position is that those Members of the Legislature who had to consider this view or the proposals sent to them by the President were in this peculiar difficulty, so far as Vidarbha was concerned. They were thinking that Pantji was right, and they were thinking that their duty to the Congress required them not to express that opinion but to abide by what has come down from the Working Committee, either a suggestion or a mandate or whatever else you may like to call that.

The opinions expressed in the debates that you have got before you, so far as the Vidarbha Members are concerned, are opinions of people who were already divided in their minds about this matter. I put it very mildly. They were members with a divided mind in this matter.

What was the object of the Constitution-framers in putting this article in the Constitution and insisting on this condition? It was not a formal condition. Because the Constitution-framers wanted that when you are making a change in the area of a State or creating a new State, you are affecting the destiny of a large number of people, and, therefore, you must ascertain their views. Their opinion may or may not be binding upon you, but it is necessary and proper and just that the Members of Parliament should at least have authentic and correct information about the views of the people whose destinies are going to be affected in this manner.

It is generally agreed that the accredited representatives are supposed, and rightly supposed, to represent the will of the people of their constituencies. But, in the particular case here, and under the circumstances which I have narrated to you,

[Dr. M. S. Aney]

I ask you, the hon. Members of this House, and I appeal to the Leader of my Party and also the Leader of the House and my hon. friend the Home Minister, whether the Members would be justified in saying that they have got before them the authentic views of the people of Vidarbha under these circumstances. If they have not got them, then, though you have fulfilled the requirements of this Constitution technically, yet, in spirit it is not so. Morally, those recommendations are wanting in giving you correct information about this matter. I do not say there is any point of order, and I do not say that anything is done which is going to make anything invalid here, but the fact remains there. Is it not due to the people of Vidarbha, even according to the spirit of the Constitution itself, I would say, that you should find some other way to ascertain the views of the people of Vidarbha, whose views—you must admit the possibility—were possibly not correctly represented by those, who, under the ordinary circumstances, would have been their accredited representatives. That is the position. I shall leave it there. That was one of the grounds on which I think....

The Minister of Agriculture (Dr. P. S. Deshmukh): The views have been more than properly assessed, and the opinion is known.

Dr. M. S. Aney: My hon. friend is entitled to say that. I do not want to say anything against him. He is my friend, and we have worked together; we respect each other; we know it. He will at least give me the credit that I shall not make a statement of fact which to my knowledge is not correct, or is incorrect or inaccurate. I am sure that he will give me at least that much credit.

Under these circumstances, I ask: Am I not within my rights, within the

bounds of reason, to ask the Parliament, and particularly, the leaders from the parties, to find out some way *via media* and to find out some way to ascertain, and make some attempt to ascertain, the opinion of the people of Vidarbha under certain circumstances their members in the Legislatures cannot be said in the particular matter to really represent the people of Vidarbha, or at least the whole lot of the people of Vidarbha? I can say that much. This is one reason why I am insisting upon that point.

Then, there is another point which is rather ticklish, in respect of which it would be a failure on my part in the discharge of my duty, if I do not make a reference. The hon. Home Member....

An Hon. Member: Home Minister.

The Minister of Home Affairs (Shri G. B. Pant): That does not matter.

Dr. M. S. Aney: He may not take it amiss, but it is wrong on my part to call him by a wrong designation, and a designation which is not a desirable one in these days of responsible government, particularly.

I want my hon. friend the Home Minister to consider this point. In the course of his speech, he made a reference to the satyagraha that is going on. I do not say that he made that reference in any contemptuous way. 'Some people have taken it' it is something like that. But I would only say this. Satyagraha is going on there. And why is it going on there? I must say that also. It is going on there because they found that all their attempts to attract the attention of the Government of India made in a constitutional way were not getting any response anywhere. That was the position. Deputations were sent, and they were patiently heard; representations were sent; sometimes, they were acknowledged, and sometimes they were not. There, the press also has been gagged. It is interested in suppressing the voice of the people of Vidarbha as against

the voice of Samyukta Maharashtra. This is the position in that part of that State on account of certain circumstances to which I do not want to refer. Under these circumstances, the persons are carrying on satyagraha there. Reports are coming before you about the satyagraha, and you have to rely upon those reports, no doubt, in these matters. You are justified in forming your own opinion and calling them as some people. I say they are responsible public men who have taken up this cause. Some of them have been your own Congressmen, and who have been members of the Indian National Congress for several years, and who have served the Congress for forty years and more, and you have been taking them as the accredited representatives of the people of Vidarbha whenever you wanted. Are those people not to be consulted now? It may be that certain events might have happened. But I would only say this. It may be that you may feel some indignation about it on the ground that they are departing from the principle of non-violence. But when they have found all constitutional means not sufficient to attract properly the attention of the authorities, what is the remedy left for those people who call themselves the followers of Mahatma Gandhi, except the last weapon which he has left in their armoury, namely to take recourse to satyagraha? They have taken to satyagraha. If they had done any mistake in carrying it on, you are justified in condemning it. Here, I am not going to defend any particular incident, or this and that. But I would only point out this, that satyagraha has been resorted to mainly as the last resort by the people there. I may say one thing here. If the course or the procedure that the alien Government, followed in the British days whenever satyagraha was made, would have been followed by you, by arresting the people and sending them to jail, nothing untoward could have happened anywhere. But your determination to ignore the fact that satyagraha is going on and to treat it as if it is nothing, and not even to keep your officers present there to see that the forests which are

there are protected, and the way in which the whole thing has led to an atmosphere of contempt and indifference have created a feeling of indignation and resentment there. And if in that course, something has happened, the responsibility, no doubt, is on those who have done it, but it is also a responsibility which lies very heavily upon the Department of Forests and the other Departments of the Government of the Bombay State. The notice was given that today forest satyagraha is to be had there, and we are going to ask not only those who are volunteers and who have come here to make satyagraha but also other people to join, if they want to do so; the notice was given, and it was in your hands, and you found hundreds of thousands going to the forests, but there was not a single forest officer or police officer present anywhere. I was present there....

Shri Mahagaonkar (Kolhapur): How were the forests burnt then?

Dr. M. S. Aney: I have not heard what the hon. Member has said, and he will excuse me if I do not reply to his interruption.

The Minister of Home Affairs (Shri G. B. Pant): The hon. Member may ignore the interruption.

Dr. M. S. Aney: I am rather serious, and I want to finish my speech as early as possible, so that other Members may get a chance.

Under these circumstances, if something untoward has happened, I would say that you will have to ask your officers to account for them, before you proceed against the other persons who have offered satyagraha or anybody who has entered there as a satyagrahi. What you do in this matter is a thing of more than local importance. So far as satyagraha is concerned, the satyagrahi is prepared to suffer the consequences of anything that is done, and if that had happened, I would have made no complaint at all in this House. I may tell you this very frankly. But

[Dr. M. S. Aney]

the thing is this. Leave aside the excesses that may have taken place as to why the people have taken to satyagraha. The matter has been put before you, and you know the whole thing. The response and the support which they are getting are not to be judged by the laconic reports which are sent by the P.T.I. or the D.T.I. and so on, but by the report of the people who are stationed there. Thousands and thousands come from distant villages to cheer them up, to send them into the forests and promise them 'If you are sent to jail, here we are following you'. Ladies are coming and joining them. Ladies of persons belonging to noble families are doing satyagraha. This is the beginning of the movement, and it is for you to see whether that movement should disappear or it should grow in strength hereafter. It will all depend on the attitude which the Government of India take in considering the demand of the people of Vidarbha that some attempt should be made to ascertain the opinion of the people of Vidarbha either by a referendum or by some kind of plebiscite. Let there be a promise that this thing would be done either at the end of this session or at the end of two or three years. Let there be some period fixed to revise the whole position and bring it in line with the opinion of the people ascertained in this way.

If the people come and decide that they want to merge with Maharashtra by a majority, I shall be the first to say 'yes'; now you have no ground to complain about the matter. If there is such a procedure followed, I am prepared to accept it. But if Government want that the present experiment should be carried on for some time, that matter also can be considered. But somehow or other, there must be a date, a time fixed, so that the people of Vidarbha have the hope that their opinion is going to be ascertained and they are going to be consulted before this becomes final. So let the present arrangement be provisional. If such hope is there, you will be giving the people of Vidarbha a chance to be with

you as your loyal followers, which they have been all these years, in the future also. If you do not do that, I leave it to fate. They will go in wilderness and anything may happen. The responsibility for this will be equally on Government as well as on the people. A man like me is just consulted and I give whatever advice I think proper. But the main responsibility is on Government. Be not satisfied with the opinion of people who are sitting behind you and are prepared to say 'yes'. Do not go by the assumption that things are all right. Our friends are there. You thought like that in 1956 also. If you again think like this, in 1960 you will again be wrong. I hope Government will avoid the bitter experience of being drawn into a repetition of all that happened these three years.

We are discussing this Bill on the auspicious day of Ram Navratri. This continues for 9 days in Chaitra.

Shri Hem Barua (Gauhati) It is also All Fools' Day.

Dr. M. S. Aney: I did not hear my hon. friend. So, his interruption is useless to me.

Shri Hem Barua: I said today is also All Fools' Day.

Dr. M. S. Aney: I shall finish my speech with relating a story from Ramayan. I think my hon. friends should have the benefit of listening to the story. In the days of their exile, Ram and Lakshman had gone to see the south and they went to the side of a lake called Pampa. By the sight of the placid waters of the Pampa lake, Ram was enchanted by the natural scenery. He found that some ducks were swimming across the surface of the lake. Ram said to Lakshman: 'Lakshman, do you see how careful and cautious the duck is. He moves very slowly so that his claws do not injure the fish which are in the water. To avoid harming the fish, he is swimming so slowly'.

वकोऽयं परमधार्मिकः

These are the words used in Ramayan. He said that the duck was so pious. Fortunately, the fish was hearing what Ram said and he was given the gift of replying in human speech. The fish said:

किम्बकम् क्षंस राम ये नाऽहम् निष्कृतीकृतः

'This duck has destroyed all my family and all my progeny.' Oh Ram, why do you praise him?

सहवासी विजानाति सहवासि विषेष्टितम्

The neighbour knows the actions of the man. My reply to the hon. Home Minister is this. He praised the Government of Bombay and said that in three years they have achieved so many things. It is the people of Vidarbha who can say about that. Ask the people of Vidarbha, and not the representatives who are sitting behind. Then you will know whether it is a good Government or a bad Government or any other Government.

With this I conclude. I thank you for the indulgence you have given to me.

Shri Mahagaonkar: He cannot accuse the representatives of Vidarbha like this.

Shri B. G. Mehta (Gohilwad): I would like the House to recall the days when we were debating another measure sometime back. That measure was also sent to a Joint Committee. The Joint Committee had almost finished its deliberations. At that time, some of the Members of this House as well as some Members from the other House felt it their duty to bring to the notice of the leader of the House the great and intense dissatisfaction that was prevalent in sections of the Houses of Parliament as well as among the public outside. We saw a situation which was not edifying, which was not pleasant and which was fraught with danger. There was a sort of linguistic fanaticism in the air, and from every

quarter there was a demand for separation and disintegration. The poison—the virus—had gone so deep that the leaders of the nation considered the situation from day to day and tried to reach a solution, if it were possible, which would satisfy most sections of the people, if not all.

It was from that point of view that several formulae were placed before this House from time to time—in order to solve a really difficult and complicated problem. Even though the Joint Committee had endorsed the recommendations in the Bill at the time for a three-unit formula, the Members of both Houses not being satisfied and knowing fully that it was not going to be to the satisfaction of the people and was not going to be abiding and lasting, represented to the leader that it was necessary to reconsider the whole thing and find some other solution.

There were certain solutions that were not acceptable to one side; there were others which were not accepted by the other side. In that predicament, the Members of both the Houses in a friendly spirit suggested that we should hit upon what was called the device of a bilingual State. At the Amritsar session, the Congress had endorsed this idea and there were hopes that there would be a few bilingual States in this country in order to combat the poison of extreme linguism that was in the air in those days. It was accepted by the country, but when it came to implementation, they found certain difficulties and, therefore, they could not implement it. If there was a bilingual State on the eastern side, as was then supposed to be coming into being, or if there had been another such bilingual State, say, in the south, the experiment of the bilingual State in the west also would have endured. When the representation was made in the light of the Amritsar Congress resolution, it was supposed that it was not going to be an exception but was going to be followed up by a few more such States.

[Shri B. G. Mehta]

This was considered to be a remedy to a disease which was eating into the vitals of our national life. As such, it was proposed by many of us here and it was accepted by the Parliament and also by the country. Those groups which were more or less holding contradictory views on certain special matters came together on this formula of a bilingual State of Bombay; and we thought that we had done a good job in combating the evil tendency and made it safe for the future prosperity of this country by adopting a formula which would keep together people who had been there for a long time working together, acting more or less as supplementary to each other and pooling their resources, not only material, but also of intellect and various other things.

This pooling of resources and continuing to work together for building up this great nation and making all efforts to bring about peace and plenty to the people of this country was the great and noble objective for which we accepted at that time the formula of the bilingual State. Not that everybody was very accommodating, not that everybody was overjoyed with it, but it was accepted as a formula, as I said before, in order to combat a particular evil tendency that was then prevailing in the country.

It was also accepted, whether it was liked or not, because it was thought that this will make an end of a very unpleasant chapter and open out possibly an era of co-operation. It was because of this that it was accepted by the leaders, both in Gujarat and in Maharashtra.

An Hon. Member: No.

Shri B. G. Mehta: But there were large sections in Bombay-Maharashtra which were not satisfied; and it was proved in the general elections when they had registered their protest by voting against the Congress. In Gujarat also, a section was very much dissatisfied and there were very unplea-

sant happenings about which we cannot take any pride.

All this happened in spite of the earnest efforts of the leaders who took an objective and dispassionate view in order to find a solution which would be acceptable to all people. But in spite of the best support being given by all the influential people to the experiment of a bilingual State, no less a person than the Chief Minister of the State, after his own experience of the administration for some time, came to the conclusion that this cannot continue because it has not facilitated the emotional integration of the two units that were mainly there in this bilingual State. Though, as the Chief Minister has publicly acknowledged, full support and co-operation were forthcoming from the Gujarat Members of the Legislature, even then he felt that there were certain doubts, misgivings and misunderstandings and that there was something which kept apart the two sides and could not bring the two together in order to make them one. So, he, because of his experience and wisdom, came to the conclusion that the matter should be reviewed. And, it was with that view that the Congress Working Committee took up this question and invited the leaders of opinion in the various units of Bombay and tried to find a solution which may not aggravate matters but which would pacify, soothe and harmonise the various conflicting claims.

We have just heard our esteemed friend, Dr. Aney, speaking for Vidarbha. That was a big problem. It was not as if we just discard this bilingual formula and get something which is acceptable to all. The problem was bristling with difficulties and complications which could not be easily brushed aside. But under the able guidance of our Home Minister, the Nine-Man Committee which went into this problem hammered out a solution. That solution also may not be appealing to all people. But I can claim that the solution has been acclaimed by a large majority of the people. The bulk of

public opinion has accepted it. Therefore, while it is fortunate that there are still people who have certain misgivings and who are not prepared to lend their whole-hearted support, I can say so far as I can see or read the signs of the times, that this latest decision, first of the Congress and then of the Government, has appealed to many sections of the people. A large and predominant volume of public opinion has accorded its welcome to this proposal; and, therefore, it is up to us now to accept what has come out as an agreement from the Nine-Man Committee and which has been endorsed by the Government and which is now embodied in the present Bill. Therefore, I am here to support the motion for referring this Bill to the Joint Committee where all points of view could be placed and further agreement sought if there is any ticklish point which has not yet received sufficient attention or which has not satisfied any important section of the people.

It is with this background that we have to view the present Bill. There have been a few issues, say, regarding the border between the two States that are now proposed, or the financial settlement, of certain claims for Gujarat being a deficit State and a few other questions. Some of the hon. Members have drawn attention to some of the points.

There has been a complaint that we have not accepted a certain set of principles; we have not put in motion a specific machinery in order to go into these various conflicting claims and in order to hammer out a certain acceptable solution. I do not think that that complaint is correct because the Bhat-tacharya Committee, and, later on, Shri Rangachari here, people who cannot be accused of being partisan one way or the other, have gone into this question and have suggested solutions which have been accepted by the leaders of the two units. So, we cannot say that there has been no principle behind the arrangement and that it has been a completely *ad hoc* arrangement. We might say that there

is a great principle behind this and that principle is that the leaders on both sides accept the agreement, and that the agreement has been arrived at after study, after mature thought and after discussions with all parties concerned. It has not taken months or years; it may have taken only a few days; but, that does not mean that full thought was not given to the various problems. Various conflicting claims were considered in their entirety. This was done. Though there might have been certain differences between the two sides, they were prepared to accept the advice of an elder statesman, one of our nation-builders. His advice was accepted. So, here was the principle, that of an agreement between the different sides who were staking different claims. That agreement was arrived at after prior consultation, discussion and study. It was placed before our national leaders. Therefore, it is not merely an *ad hoc* arrangement, without any principle or based on any arbitrary method but it was fully gone into and the agreement was arrived at. So, we in this House should endorse that agreement because that means unity, cohesion and solidarity that we so much want in this country and because it is going to permit these two States to grow into a higher stature with complete amity and co-operation between themselves. It is, therefore, that I commend this method of arriving at solutions, rather than having committees and commissions which will take months and years and all the time the bitterness will continue and there will be a festering sore which will eat at the vitals of the nation. It is, therefore, that this method is more to be commended whether one may feel satisfied completely or not. That has not been possible on many other issues; that may not be possible on all issues but we ought to accept something which has been accepted by the leaders of public opinion on both sides. That is why I would recommend strongly the acceptance of the arrangement that has been arrived at by the leader and the deputy leader of the Bombay Legislature.

[Shri B. G. Mehta]

I am told that somebody in this House—if I am not wrong, my hon. friend, Shri Goray—has suggested that the deficit of Saurashtra and Kutch are being imposed on the State of Bombay, that is, the State of Maharashtra. That is an incorrect understanding of the situation because both Saurashtra and Kutch have, under an agreement with the Government of India, certain financial assistance to be given to them in lieu of certain rights that they had surrendered to the Government of India, the rights of customs and excise, income-tax and so on and that arrangement subsisted till yesterday, if I am not mistaken. So, it is not as if any deficit on account of Saurashtra or Kutch was being imposed upon the State of Maharashtra. Nothing of the kind. As the Finance Minister of Bombay has pointed out in his speech in the Bombay Council, here is a partnership of long-standing, about 150 years or so old. The partnership is being dissolved by accommodation, arrangement and agreement. It is up to the partners to see that none of them is put at a disadvantage in the new life initially. All these years, both Maharashtra and Gujarat profited from the surplus of the city of Bombay. It would have continued for a long time to come if we had not agreed to divide the State of Bombay into two units. It is nothing as if something new is being imposed. Here was an advantage which was being taken not by one unit but by both, Maharashtra and Gujarat, in more or less the proportion of the population—two-thirds and one-third. Now, that advantage would immediately terminate on the division of the State of Bombay into two units. You know the strong feelings Gujarat held regarding Bombay city's status. They wanted that there should be three units and a separate structure or administration for Bombay. But in deference to the cause of unity and nationalism, in spite of the strongly held views of Gujarat, they came to the conclusion that if it was going to

satisfy the people of Maharashtra, end the bad and unpleasant chapter once for all and open out a new era of peace and prosperity, Gujarat should agree to what Maharashtra has come to believe so strongly, even vehemently. They agreed in spite of themselves to the solution that Bombay would go to Maharashtra. But the consequence of Bombay going to Maharashtra is that on the morrow of division there will be a deficit of Rs. 9 crores, according to certain calculations and Rs. 4-5 crores, according to others. That was a problem that had to be tackled not only by Gujarat but by those who took the decision regarding the bifurcation of Bombay. A solution had to come not only from Gujarat and Maharashtra but from all of us. We had to devise some ways and means so that Gujarat was not called upon from the day it was established to impose taxation on the people of Gujarat to the extent of a few crores of rupees. If we look to the incidence of taxation per head of population in Gujarat it is something like Rs. 12.5 or so while for Maharashtra it is about Rs. 10

Shri Tyagi: Gujaratis are richer.

Shri B. G. Mehta: That is a fallacy which has been very much prevalent but has very little substance. I would like to point out that Gujarat is not Bombay. Now, the Bombay Gujaratis will go. They will be in Maharashtra now. Ahmedabad is not Gujarat. Apart from the textile industry of Ahmedabad, if our esteemed friend, Tyagiji, could point out to me other areas in Gujarat which are rich, I would be too glad to correct myself; I am prepared to withdraw my words also. Possibly Tyagiji does not remember that Gujarat means Kutch which was from very early days being ruled by anti-delunian methods for a long time and Saurashtra which was a congeries of 200 Indian States and in Gujarat apart from Saurashtra and Kutch, there

were something like 150 or so small States. Because of this there was no right development in Gujarat. There were boundaries and jurisdictions at every stage and claims from all sides. Therefore, it was not possible to develop Gujarat in every possible way. Only the five districts of Gujarat that were there in Bombay in the old days had the benefit of constitutional rule or the rule of law and certain guarantees of citizenship rights and so on and then a few were institutions of public life, of local-self-government and voluntary agencies. There could be some progress seen in those former areas of British Gujarat of those days. Now Gujarat is 17 districts and not 5 and Kutch could not be said to be really an advanced part of Gujarat nor could we say the same thing with regard to Saurashtra which, though it has bravely and gallantly put up an effort to come into line with the rest of the country, has not reached that stage..... (An Hon. Member: Adivasis). You may also know that the population of Adivasis is considerable in Gujarat, so also is the population of Harijans. There are various sections. Go to North Gujarat—Banaskantha. It is completely backward. Go to Central Gujarat or go to Cambay. There are places in Gujarat which have not had the benefit of rule of law or constitutional rule, which have not seen something like a Gujarat unit where you can have roads, irrigation schemes, mineral development and so on. All this is in its infancy in Gujarat. I am glad my hon. friend Tyagiji gave me an opportunity to explode a myth which has been sedulously spread throughout the country. It is all wrong. Gujarat is not Ahmedabad, I am glad we have decided to establish the capital not in Ahmedabad but near Sabarmati which has a noble tradition and association of ideas in the history of Gujarat and this country.

So, really speaking, neither Saurashtra nor Kutch has imposed any

burden on the State of Maharashtra. But it is understood, and I thought it was understood by the Samyukta Maharashtra Samiti as well, that there has to be at the time of bifurcation a certain arrangement which will make it possible for the State of Gujarat, which was not asked for, but which has been, say, forced upon Gujarat, to carry on its work.

Now, here is the State of Gujarat. Do we want it to prosper or not? How could it be expected to impose taxation to the tune of Rs. 5 crores or Rs. 9 crores immediately after its establishment? It was accepted on all sides, by the nine-man committee, by the Government of India and all sections of public opinion including the Samyukta Maharashtra Samiti—I know of certain discussions that took place—.....

An Hon. Member: The Bombay Legislature also.

Shri B. G. Mehta: You can see the debates that took place in the Bombay Legislature. The Bombay Legislature unanimously endorsed this Bill. Though there have been certain differences expressed there, replies also have been given—you can refer to the debates if you like. So some arrangement had to be arrived at. Ordinarily, it would be something like one-third of the surplus of Bombay City. It would be then Rs. 8 crores to Rs. 9 crores. But Gujarat has accepted whatever has been suggested from here, either by Shri Rangachari or by Pantji, and it has been accepted with willingness though they know what it is going to cost them by way of making two ends meet. Even then they have accepted. So I would wish our friends of Maharashtra also would take it in that spirit and in that light.

Now, there is the status of Bombay. Many friends have expressed their anxiety on that score. I do not think there should be any misgivings. I do feel that the recommendation of the nine-man committee will be carried

[Shri B. G. Mehta]

out. That has been the declaration made by the Chief Minister of Bombay on the floor of the House, that has been what our Home Minister also has said. I do not know whether we cannot allay the fears and misgivings by making some mention of this desire on the part of all of us to retain the present cosmopolitan character of the city of Bombay and, for that purpose, whether we cannot devise by some ingenuity some measure which could give satisfaction to the people of the city of Bombay. I only wanted to refer to that point.

13 hrs.

Regarding the problem of Vidarbha, I know there are two strongly held contradictory views in that area, but I would appeal to my friends of Vidarbha that in spite of what they might feel, even though they may be holding strong views, they may give this decision a chance. After all, here is a great opportunity. All the Marathi-speaking areas are brought together at one place. Here is the huge surplus of Bombay which is going to be available for the development of the backward parts of the State of Maharashtra. Why not give it a trial, a trial with a view to help with every possible means to see that it succeeds. Such a trial ought to be given to this experiment, and in spite of certain strongly held views this experiment may be accepted. I think after some time they might feel as, I hope, the people of Telangana feel today, that it is good to be in the whole of Andhra, that it is good to be in the whole of Maharashtra so that they will have an opportunity to develop together.

An Hon. Member: They are already feeling.

Shri B. G. Mehta: They may so feel, but there are two views. We just now heard one of our leaders speaking about that. But I would appeal to all friends who differ from us to give it a trial and a handsome trial.

I am told our friends from Kutch have made a representation to the Home Minister regarding the problem of Kutch. That problem has been considered on its own merit, on a different footing. It was considered by the SRC where they maintained that Kutch is a Central responsibility, and the Centre while placing it in Bombay cannot divest itself of its responsibility to the people of Kutch because it is a border State, because it is a State which has remained in chronic backwardness for a very very long time. This fact was recognised by the SRC and they recommended that not only—then it was Bombay State—Bombay State but also the Centre will have to continue discharging certain responsibilities to the people of Kutch. Again, the Planning Commission had considered the same and endorsed the view of the SRC with regard to the interests of Kutch being taken care of by the Centre. The same thing was considered in the previous Joint Committee, where both Shri Bhawanji-bhai and myself had the honour to be members, where also it was recognised, on the merit of the case of Kutch, that there shall be a continuing responsibility on the part of the Centre so that the people of Kutch may not feel as if they are not duly considered in any reorganisation. I would place the case of Kutch before this House and before the Government. The same may be considered with regard to several backward parts. As I said, there are Scheduled Castes and Scheduled Tribes a goodly number, and other backward classes in Gujarat which is going to be. Again, that is a problem not just belonging to one State or one set of people. It is a national problem, to bring people into line with other advanced sections, so that nobody feels as if he has no future in this country, and from that point of view we will have to consider the claims of Gujarat whenever they are placed before this Government.

Sir, I have done. I hope we shall be able unanimously to accept this motion, not only now but after the report is submitted later on, and that we will be able, as patriotic citizens of this country, to give it complete support and co-operation so that we might end this chapter of reorganisation once for all and open out a new era of peace and prosperity in this country.

Mr. Speaker: Shri Khadilkar:

Shri Khadilkar: (Ahmednagar): Mr. Speaker, Sir, my hon. friend who spoke just now has given a resume..
.....

Mr. Speaker: Hon. Members will now confine their remarks to 15 minutes.

Shri Khadilkar: Sir, I shall try. Sir, I was saying that the hon. Member who preceded me has referred to the history of the bilingual State and how the Government has now come to the conclusion that it should sponsor a Bill revising the decision taken by this august House concerning the bilingual State. But, unfortunately, he has forgotten to mention one factor which has led to all the controversy. We on our side, when the Members of this House never had even thought about it, made an offer to the leaders of Gujarat, all parties united including the Communists, that let us give a trial for a bigger bilingual. That offer made in all confidence and hope was spurned aside by Gujarat leadership saying that there was something fishy about it.

An Hon. Member: It proved to be so.

Shri Khadilkar: All the trouble and all the later solutions which baffled the High Command were really due to this initial spurning of the offer, rejecting the hand of friendship and eternal partnership in the Indian Union. He ought to have mentioned that fact. Let me be very

plain and let me say why it so happened, before I come to the Bill proper.

In the Gujarat leadership today there is a tendency to equate the interests of Gujarat with the interests of India. This is a tendency which is not in keeping with Gandhian tradition and it has affected in many ways the whole pattern of Indian politics. There is a certain amount of paternalism in Gujarat politics in the democratic era of today, and we do not understand what are the vital urges of the people. Therefore, even now, when a decision has been taken, when people in Maharashtra and Gujarat have agitated for the reversal of the decision previously taken because they felt that certain things were being imposed by this House without taking into consideration the will and the wishes of the people, the prospective Chief Minister of Gujarat would say in Gujarat today that, left to themselves, Gujarat would have preferred to remain in the bilingual State! Because of this paternal attitude in politics, they do not understand the democratic feelings of the people and fail to adjust themselves to the democratic processes.

After saying this by way of preliminary remarks, I would like to touch the main problem. I feel that we have reached the final stage of the process of States reorganisation. Unfortunately, those who were entrusted with the destinies of this country did not give enough thought to this problem; they did not lay down the principles nor did they make a plan as to how this thing should be brought about. When the issue was discussed, in the Constituent Assembly, the then leadership thought it should be shelved for the time being. Then, the first decision was taken concerning Andhra Pradesh, and it was taken under certain emotional and impulsive impact and not by giving due consideration as to how it would affect the whole of India and other

[**Shri Khadilkar**]

language regions, because, when I plead for a language State, I do consider what are its drawbacks in the Indian Union and what are its pitfalls and shortcomings also. Language is a force of social integration and in the Indian Union, with different levels of language development, if it takes a certain amount of chauvinistic turn with an exclusive nationalistic spirit behind it, it is likely to prove detrimental to the unity of India. Therefore, while taking measures to satisfy the aspirations of the language regions, and legitimate aspirations at that, we who are sitting here as representatives of the people should also take care to see that the sense of Indian unity which keeps all States together is in no way touched or undermined. This point is absolutely necessary at this hour.

I said that the High Command never gave a thought to this problem and never had any principle. I will give you one small instance. My hon. friend referred to the border area. I would like to ask, "What did you do regarding Abu?" Abu legitimately belongs to Rajasthan. But in the ruling hierarchy, where only a few States have a dominant voice and others have none.....

Shri P. R. Patel (Mehsana): May I submit that my hon. friend knows little of Abu, but he is talking about it!

Shri Khadilkar: I know everything. I shall place all records before him if he wants. Ultimately, because of this dominant voice and because of a desire, a most unhealthy desire, that one State must have a port, must have a hill station, must have rich forests, etc.....

Mr. Speaker: We have enough trouble between two States and so why should other States also be brought in here? If a number of other instances are brought in, it will lead to a diversion from the present subject. The hon. Minister will have

certainly to explain the reasons if such charges are made against something else which is not the subject-matter before us. Generally, when the hon. Member said that there is a pull this way and that way, I allowed those remarks. But he need not pursue the topic all round.

Shri Khadilkar: I just mentioned it because they take a certain decision in their wisdom because of certain influences and later on they have got to reverse it. Therefore, I mentioned it. I have no desire to pursue that point. Unfortunately, the bilingual State was established in distrust because some people wanted to exercise a veto on the future of Bombay. I am using the expression, if I remember correctly, from one of the private communications of the Prime Minister to one of the magnates of Gujarat. Therefore, the controversy really stirred the emotions of the people and the people felt that "here is a blatant injustice done by the High Command."

I have read through the Bill. Let me be very frank before this House and tell the hon. Home Minister, who has taken this bold step of carving out two States for which I really congratulate him, that there is a string of distrust in several provisions of the present measure also. I will just refer to a few provisions. Take the question of the border between Gujarat and Maharashtra. About Umbergaon *ad hoc* decisions are taken. There is no principle. False information sometimes is made use of. All the Gram Panchayats—there are eight of them—are nominated. Out of the eight, only four have opted out for Gujarat. The hon. Minister has got the information in his possession. As regards Dangs, it has been decided that it should form part of Gujarat. I do not want to labour this point, but I would like to point out one aspect. It is basically a tribal area and the interests of those people must be of vital concern to everybody. It is a ticklish problem.

For the time being, if there is no agreement, why not keep this disputed area, in the interests of the tribals also, in charge of the Centre? Later on, you can decide upon the issue.

An Hon. Member: Why not Bombay also?

Shri Khadilkar: It is a tribal belt. I have gone there. The people there feel that they have any value. There are rich forests there and the exploitation of the forests is going on from year to year. Why not these forests, which is national property, and those who live there for ages, be in charge of the Centre? For example, my hon. friend's name, Dange, comes from those areas. He comes from those areas. I may tell you for your information. Therefore, so as the Dangs are concerned, you should not take a hasty decision.

An Hon. Member: It must be given to Shri Dange then!

Shri Khadilkar: If certain spots of discontent are kept alive, let me warn you of this. As you have found regarding the bilingual State, you will find later on that those spots develop a sort of ulcers and these ulcers will take a malignant turn and you will have to find out some solution and some sort of remedy to remove that malignancy. So, between two States, when you demarcate the border, whether it is Gujarat and Maharashtra or Mysore and Bombay, the decisions are not taken with that objectivity, and with a plan that we will educate the people and tell them that we are carving out the map of new India; here are the areas; boundaries will be decided on this basis and the areas will comprise these territories. If you had done that, educated the people and then reorganised the States after five or seven years, instead of taking a decision on the spur of the moment, because some esteemed comrade in Andhra died and there was a disturbance, it would have been proper. You take decision

when there is a disturbance; you take decision when somebody dies, but you never take a decision if people argue and prove with all reasonableness their claims. Here is a case regarding Mysore-Bombay border or Gujarat-Bombay border. Therefore, I would appeal, take a decision on some principles.

Mr. Speaker: Some hon. Members from Mysore have written to me and I may refer to that. I do not think the border dispute between Mysore and Maharashtra is relevant here. This is only between Maharashtra and Gujarat.

An Hon. Member: But references have been made.

Mr. Speaker: If they are made, it is not right.

Shri Mahagaonkar: When this problem of the new State coming up is discussed, why not we suggest that certain areas that are in Mysore State should be taken into consideration by the Home Minister and the Government and by this House? Is it a folly on our part to bring in that?

Shri Basappa (Tiptur): That issue was finally settled in this Parliament. It cannot be opened, unless there is agreement..... (Interruptions).

Mr. Speaker: The point is this. Hon. Members are aware that Gujarat State is carved out of the Bombay State and the balance remains. If a portion which has gone to Mysore has to come here, that is not part of the Bombay State. Gujarat is carved only from the present Bombay State. This is an independent issue where the legislature of the Bombay State has also looked into this matter. Likewise, the legislature of the Mysore State also has to look into this matter, if that is brought in. Many things may be good, but they are not relevant to this issue. Even if some references might have been made, hon. Members may ignore those references so far as that dispute is concerned.

[Mr. Speaker]

The House will not accept any such one-sided references. Therefore, I am not going to allow any reference to the dispute between Mysore and Bombay, merely because some hon. Member from Maharashtra or from Mysore wants to talk about it.

श्री खादीबाला (इन्दौर) : अध्यक्ष जी, जब कि बम्बई के प्रश्न पर चर्चा हो रही तभी तो समय है कि जहाँ जहाँ नये प्रदेश बने हैं वहाँ के सदस्य घटने राज्यों के बारे में भी कुछ कह सकें।

अध्यक्ष महोदय : नहीं जी। इस समय हम गुजरात और बम्बई के प्रश्न पर विचार कर रहे हैं किमी और प्रश्न पर नहीं। इसलिये यह भ्रमण बात है। इस पर और राज्यों की बात करना अनुचित होगा।

Sardar A. S. Salgal (Janjgir): My learned friend has raised the point that the question of other States also may be taken up. May I humbly submit that this question relates only to Bombay and other States will not be dragged in?

Mr. Speaker: I have said so.

Shri Khadilkar: So far as Ukai is concerned, out of 156 villages, 97 villages are such which would not be submerged under water. I want to point out to the Home Minister that this decision is against the very spirit of the Constitution. I would like to appeal to him that if he is going to decide the question of villages that are not submerged under water under a particular project in this manner, he is laying down a very bad precedent. I will just mention one or two instances in this regard, because it is said agreement is a principle. For the first time I have heard it. The hon. Member who spoke before me said it. Whatever has been agreed upon, must be examined by this House very thoroughly. A certain principle is laid down in the Constitution and therefore we are sitting here.

So far the Ukai arrangement is concerned, it is detrimental to the future development, because it will lay down a very bad precedent. For instance, the Ukai project was first conceived as an irrigation project. Now it is talked of as a power project. If it becomes a power project, water will be wasted in an area where it is of no use, because the experience of Kakrapara is such that because of 40 to 50 inches of rainfall there, water is not being utilised. Therefore, I would appeal to the Home Minister: Let the matter be referred to an irrigation and power commission, to some new committee, and let it be examined. Otherwise, the same principle will be demanded in the case of Rihand and other projects that are to come up. So, you should not lay down a bad principle.

Coming to financial arrangement, so far as the arrangement for the first two years is concerned, I do not take any exception, nor the Samiti, when it agreed upon some formula, had taken any exception. There is no serious objection about making some provision for the building up of a capital also. But another question is involved regarding the financial arrangement after two years. How can you predict the long-term prospective deficit of a State and make some provision? That is one aspect. Apart from it, under our Constitution, after five years, you have got a Finance Commission to go into all the details and lay down a principle of disbursement or grants-in-aid from the Centre. We have before us the reports of the Finance Commission.

I would like to point out, as a matter of principle, that here also you are contravening the spirit of the Constitution in order to bring about this agreement, which is, as I said, based more on distrust and a certain spirit of bargain. There is no spirit of partnership. I wish that Gujarat should have shown a little generosity and should have shown greater respect

to the basic principles of the Constitution, while coming to some sort of agreement. It is not there. (*Interruption*). I will not take a long time on this issue. There is a precedent of Andhra and Madras. When they were separated, a certain principle was followed."

13.24 hrs.

[MR. DEPUTY-SPEAKER in the Chair]

I will just read out one small paragraph from what the Finance Commission (1957) has said about it:

"The gap between the ordinary revenue of a State and its normal inescapable expenditure should, as far as possible, be met by sharing of taxes. Grants-in-aid should be largely a residuary form of assistance given in the form of general and unconditional grants."

Regarding Andhra, it has said:

"Andhra Pradesh has special problems arising out of reorganisation."

This principle ought to have been followed; that is why I am quoting it.

"It has also inherited the difficulties of the former Andhra State consequent on its separation from Madras. We recommend a grants in aid of Rs. 4 crores a year to this State."

I would like to appeal to the hon. Members, those who are parties to this agreement, because, after all, when we endorse this agreement here, as the bi-lingual formula was endorsed by us, without taking the wishes of the people, if you endorse an agreement which does not meet with the wishes of the people, contrary to the basic fundamentals of the Constitution, it will be challenged by the people. That danger is there. Therefore, the responsibility of the Finance Commission that will be appointed after two years should not be brushed aside. I do not say that there would not be any deficit. Let Gujarat also become equally prosperous. They are

already prosperous than what we are. We do not envy them. Because, they have that knack, a certain amount of business acumen, industrial ability and all that. But this principle should not be laid down.

One more word and I shall finish. There was a reference to Bombay and what they are losing in this separation. I must confess that I was rather disappointed when my old friend, Shri Balwantrai Mehta, talked about Bombay. When you are separating you do not realise one aspect, or you do not bring to the notice of the House one aspect. 95 per cent. of the commercial and industrial capital that is in Maharashtra belongs to non-Maharashtrians and a major portion of it belongs to Gujarat. Yesterday, my hon. friend, Shri Yajnik said "We have invested Rs. 200 crores in Bombay". Why only Rs. 200 crores. Every grocery shop, every cloth shop, every factory, every mill, every big or small enterprise belongs to them. Certainly they have enterprise, they have ability. (*Interruptions*). I am paying tribute to their ability. Nobody is going to confiscate their property or drive them out. Therefore, in their own interest, they should not bring in the argument "We are losing something, we are giving away Bombay". No. I would appeal to them, there is scope for you, you come again and have more industries.

Mr. Deputy-Speaker: Scope for me as well?

Shri Braj Raj Singh: Punjab setting up industries in Bombay?

Shri Khadilkar: There is scope for them, for our development. Let it be a joint development. Do not enter with a spirit as if we are belonging to two sovereign States. That feeling should not be generated. One word more.

Mr. Deputy-Speaker: He has already taken too much time.

Shri Khadilkar: I will end in one minute. Yesterday, a reference was

[Shri Khadilkar]

made to the Samiti. I am also a constituent party to the Samiti and, therefore, it would not be proper for me not to refer to it. The Samiti and the Maha Gujarat Parishad, both these organisations came into being and showed their strength in a particular moment of history. They came through a process of struggle. When the basic issue is solved, it is very natural that the basis on which this unity was forged will have to be re-considered. It cannot be continued in the same old fashion. All the parties in Maharashtra as well as Gujarat will have to give serious thought whether in order to bring about a healthy democratic life in this area they should reconsider the whole position and find out a new basis of unity. That time has come.

श्रीमती जयाबेन शाह (गिरनार) :

माननीय उपाध्यक्ष जी, इस सदन में इस विषय पर चार साल के बाद फिर भी चर्चा हो रही है। हमारे होम मिनिस्टर साहब ने इस बिल के बारे में ठीक तरह से कह दिया है और माननीय बलबन्त भाई जी ने भी इसके बारे में बहुत कुछ कहा है। तो मुझे इसके बारे में कुछ खाम कहने की जरूरत नहीं थी। लेकिन हमारे दिल में ऐसा हो रहा है कि जब हमारी सटेट्स का सेपेरेशन हो रहा है तो हम प्रेम से अलग हों। लेकिन हमारे बहुत से माननीय सदस्यों ने जो कुछ कहा है उसमें मालूम होता है कि वह अभी तक सही रास्ते पर नहीं आये हैं और सही रास्ते पर नहीं चलना चाहते हैं। जो बात है उसको यहां पर उलट कर बताया जाता है और सारे सदन को खबर में डालने का प्रयत्न किया जाता है।

कल माननीय डांगे साहब ने बताया कि गत समय जो निर्णय इस सदन ने लिया था उसमें कुछ कमिशनल और कंपीटलिस्ट इंटररेस्ट ने विजय पायी। यह जाहिर बात है कि वह निर्णय किसने किया था। यह निर्णय तो सारे सदन के अगुए सदस्यों ने और पार्टी लीडर्स

ने मिलकर किया था, तो वहां पर कंपीटलिस्ट और कमिशनल इंटररेस्ट कहाँ से आ गये, उनको तो पता भी नहीं था जबकि यहां पर वह निर्णय स्वीकार किया गया। गुजरात वाले तो मोंपे हुये थे और यहां पर वह निर्णय रातों रात पलट दिया गया था। तो मैं समझती हूँ कि इस प्रकार बातों को ट्विस्ट करने से कोई फायदा नहीं है।

डांगे साहब ने बतलाया कि हमको तो पहले से ही मंजूर नहीं था। लेकिन मैं बताना चाहती हूँ कि उसका सदन को कैसे पता चल सकता। माननीय अशोक मेहता जो उनके लीडर थे उन्होंने इनीशिएटिव लेकर सारे सदन के सदस्यों का मिगनेचर लेकर माननीय पंडित जी को दिया था। जब उनके लीडर ने यह किया तो उसका वरिडिक्ट उनके फालोअपमें पर बाईडिंग था। लेकिन अब पता चला कि वह तो लीडर बिदाउट फालोइंग है महाराष्ट्र में।

जब यहां चर्चा हो रही थी तो हम मौराष्ट्र के लोग भी अपने यहां बैठ कर इस पर चर्चा करते थे और जब यहां से मन्देश गया कि निर्णय पलट दिया गया है तो हमारे बीच ऐसी चर्चा हुई कि यह बहुत बड़ा स्टेट होने से हमको एडमिनिस्ट्रेटिव डिफीकल्टी होगी, तो ऐसा होना अच्छा नहीं है। मगर बतलाया गया कि यह देश की सानिडेरिटी के लिये है, यूनिटी के लिये है, नेशनलिज्म के लिये है, जैसा कि अभी बलबन्त भाई जी ने बतलाया, इसलिये हमने कुछ नहीं कहा। इस निर्णय पर गुजरात के कुछ लोग नागज हुये और भाई भाई में इस विषय पर झगड़ा चल पड़ा। फिर भी हमने इस निर्णय को स्वीकार कर लिया। यह हमारा कुसूर है या किसी और का, यह तो तबारीख को तय करना पड़ेगा। मैं तो समझती हूँ कि जो निर्णय यह सदन करता है या इसके सदस्य करते हैं उसकी पूरी प्रतिष्ठा होनी चाहिये, उसको पूरा गौरव

दिया जाना चाहिये। हम गुजरात वालों ने यह निर्णय होने के बाद उसका विरोध नहीं किया, उसके प्रति इन्डिमिप्लिन नहीं दिखाया और हम चले और वह स्टेट कैसे आगे बढ़े और कैसे सफल हों इसके तरीके हम ढूँढ़ने लगे। मगर मुझे कहने में थोड़ा संकोच भी होता है और दुःख भी होता है कि जो निर्णय इस पार्लियामेंट ने लिया उस को पार्लियामेंट के सदस्यों ने लिया और जिसमें हमारे लीडर शामिल थे, कायम करने की सब ने पूरी कोशिश नहीं की किसी ने तो ऐसा कहा कि Nothing is final in Democracy और ऐसा भी कहा गया Bombay is geographical part of Maharashtra सही है। यह कोई नई बात नहीं है। मगर एक और हम चाहते थे कि बार्डलिंगवेल स्टेट चले। और दूसरी आंग ऐसा बोलने रहे जिससे जनता के दिल में पूरा विश्वास नहीं हुआ। जब हमारे देश में गिगमिस्टिक फंटेडिनिज्म चल रहा है तो इस मामले में सहयोग होना जरूरी था। तो हमने इस बात को समझते हुये इसको मंजूर किया। उन्होंने भी उस निर्णय को स्वीकार किया था, वह तो नेशनल इश्यू बन गया था। उसमें सभी शामिल थे। अब वह उसमें से भ्रमलग नहीं हो सकते।

यहां पर कुछ पैसे की और बाउंडरी की बात कही गयी है। मैं कहना चाहती थी कि ऐसे मौके पर जबकि हम भ्रमलग हो रहें, अगर हम इन झगड़ों में न पड़ते तो अच्छा होता। मगर ऐसा होता है कि अगर कोई नहीं बोलता तो उसकी बात का किसी को पता ही नहीं लगता। मैं गॉरे साहब का बहुत आदर करती हूँ। मैं चाहती थी कि वह इन छोटी बातों को न उठाये। मगर उन्होंने डांग की और उमरगांव की छोटी मोटी बातें लेकर खड़ी की। उन दिनों में जब वह फैसला करना चाहते थे और चाहते थे कि बम्बई और गुजरात में कम्युनि-माइज हो जाये और हम बम्बई को छोड़ दें, उस समय तो जो आज हालत है उसमें भी वह भागे जाना चाहते थे, आज तो ४५ करोड़ में

भी नाराज हैं और जहां तक बाउंडरी का सवाल है उस समय वह खोनादेश के जो ६ तालुक हैं उनके बारे में भी वह सोचना चाहते थे। पर उनके बारे में मुझे ज्यादा पता नहीं है। मगर हमारे याजनिक साहब के साथ इस बारे में वह बातें कर रहे थे, उनको ज्यादा पता होगा लेकिन Now he can conveniently afford to forget such things. तो मैं उनसे पूछना चाहती हूँ कि ये बातें कहाँ तक सही हैं।

मैं आपसे कहना चाहती हूँ कि बम्बई में किसी ने यहां तक कहा कि गुजरात के लोग तो शाईनाक हैं। मैं पूछना चाहती हूँ कि कौन शाईनाक है। हम तो चाहते थे कि जो कुछ हो.....

Shri Mahagaonkar: Who has called Gujaratis as shy and all that?

Shri Goray (Poona): Not shy, but Shylock.

Shri M. B. Thakore (Palan): Deshpande.

Shri Mahagaonkar: It was used in the Assembly and not in this House.

Mr. Deputy-Speaker: Then also she has reason to say like that.

श्रीमती जयाबेन शाह: अब प्रिंसिपल की बात कर रहे हैं। उनके लिये जब फायदा होता है तो कहते हैं कि वह प्रिंसिपल की बात है, और जब फायदा नहीं होता तो उसमें प्रिंसिपल नहीं होता। मैं समझती हूँ कि ये सारी बातें गलत हैं और इस तरह मदन की भ्रम में डालना ठीक नहीं है। माननीय डांग की कह रहे हैं कि हम तो प्रिंसिपल पर चल रहे हैं। बाउंडरी के लिये उनके दिल में भी दुःख हो रहा है और न जाने क्या क्या वह छोटे मोटे गांवों की बातें कर रहे हैं उसकी उनके मन में बड़ी चिन्ता है। मैं उनसे पूछना चाहती हूँ कि चीन ने हमारे देश के इतने बड़े भाग पर कब्जा कर लिया है पर उसके बारे में उनके मन में इतनी चिन्ता नहीं

[श्रीमती जयाबेन शाह]

है जितनी कि उमरगांव के लिये होती है।
ना मैं समझती हूँ कि....

Shri P. S. Daulta (Jhajjar): I want to know whether China is in Gujarat or in Bombay. We are not allowed to talk.....(Interruption).

Mr. Deputy-Speaker: Order, order.

Shri P. S. Daulta: about Punjabi suba and Haryana prant because we are allowed to talk only about Maharashtra.

Mr. Deputy-Speaker: Order, order.

Shri P. S. Daulta: But China can be talked of. I want to speak about Punjabi suba. I want to speak about Haryana prant.

Mr. Deputy-Speaker: Now in spite of my interruption he has spoken. I was asking the hon. Member to resume his seat but even then he continued. How can he complain then against others?

Now the hon. Member must confine herself to the issues that are before the House.

श्रीमती जयाबेन शाह : यहां पर उकाई ईम का जिक्र किया गया। मैं तो इस झगड़े की बात भी नहीं करना चाहती लेकिन कुछ माननीय सदस्यों ने यहां ये बातें की। उन्होंने जान-बूझ कर ये बातें यहां उठायीं मगर घमेल में बात यह है कि जो गांव डूबने वाले हैं उनका कैम गिहैबिनिटेशन हो। उसके एडमिनिस्ट्रेशन का प्रोग्राम्योर कैसे जल्दी से तै हों। उनके लिये दो मांस की पट्टी मांगी गयी है। इस सम्बन्ध में मैं मननीय होम मिनिस्टर साहब को बतलाना चाहती हूँ कि जब दो माइल की पट्टी देने के बारे में तय किया गया था, तो उस में जितने गांव आते हैं, उन में से कई गांव निकाल दिये गये हैं यह बहुत छोटी बातें हैं, इसलिए मैं इन के बारे में कुछ अधिक

नहीं कहना चाहती हूँ। लेकिन जब कुछ माननीय सदस्य इन का जिक्र करने पर तुल गये हैं, तो ऐसी स्थिति में मेरा यह फ़र्ज है कि मैं भी अपना दृष्टिकोण यहां पर रखूँ।

जहां तक स्टेट के नाम का सम्बन्ध है, मैं पहले से कह दूँ कि महाराष्ट्र नाम से मेरा कोई झगड़ा नहीं है, कोई एतराज नहीं है, लेकिन यदि इस विषय पर ग्राबजक्टिव तौर पर विचार किया जाय, तो प्रश्न उठता है कि क्या हम हर एक प्राविंस को राष्ट्र-नेशन—कहना चाहते हैं। नेशन तो एक ही है और वह है भारत देश हमारा। यदि महाराष्ट्र बने, गुजरात राष्ट्र बने—जैसा कि पहले गुजरात को कहा जाता था—बंग राष्ट्र बने, कलिंग राष्ट्र बने, तो फिर बाकी क्या रह जाता है? यदि इन प्रीलिम्न को हम छोड़ते नहीं हैं और पास्ट हिस्ट्री की ऐसी बातों को हम अपने दिमाग से निकालते नहीं हैं, तो फिर हमारे देश की एकता कैसे कायम रह सकती है? लेकिन इस नाम पर मुझे कोई एतराज नहीं है और मैं इस को फुल्ली एनडॉर्स करती हूँ। इस के साथ ही साथ हमें यह देखना चाहिए कि पहले हमारा देश है और फिर प्रवेश आता है।

जहां तक फ़िनान्शियल एडजस्टमेंट्स का सम्बन्ध है, आप चाहते हैं कि हम बम्बई प्रेसिडेंसी की डीबट्स पर न बोलें। इस बारे में मैं यह कहना चाहती हूँ कि अगर हम ने उन का जिक्र नहीं करना है, तो फिर बे डिबेट्स हम लोगों में क्यों बांटी गई हैं। उन दिनों मैं बम्बई में थी और मैं ने उन डीबेट्स को बहुत गौर से सुना। इस सम्बन्ध में बहुत बड़े बड़े लोगों, लीडर्स, की बातें सुनने के बाद मैं तो यह समझती हूँ कि बे चाहते हैं कि हम नंगे पैर बम्बई में चले जायें, तो उन को बहुत खुशी होगी।

उपाध्यक्ष महोदय : माननीय सदस्या उन को सलाह दे रही है कि बे सब कुछ भूल

जायें, तो फिर वह खुद ऐसी बात क्यों कहती है ?

श्रीमती जवाबेन शाह : ठीक है। वे यह कहना चाहते हैं कि बम्बई पर हमारा कोई हक ही नहीं है। यह बात तो इतिहास की है, हमारे अपनी नहीं है। ऐसी बातें करने में क्या हानि वाला है कि इतना नहीं देना, उतना नहीं देना। चाहे हमें वह भी न दिया जाय। जो कुछ हमें दिया गया है, वह हमारा हक है। अगर हमारा हक नहीं होता है, तो जो कुछ हमें दिया गया है, चाहे उसे भी वापस ले लिया जाय। जो हम मांगते हैं, वह अपना हक मांगते हैं और हम कोई डोनेशन या भिखा नहीं मांग रहे हैं।

घालिर में, उपाध्यक्ष महोदय, मैं यह कहना चाहती हूँ कि जब कि बम्बई राज्य का विभाजन हो रहा है, तो मैं चाहती हूँ कि हम सब बातें भूल जायें। ऐसी कई बातें भूल जाने में फायदा होता है। मैं भी उन को भूलना चाहती हूँ। घाज हमारे दिलों में ऐसी बातें नहीं है। जो बातें यहाँ पर कही गई हैं, मैं तो उन का जवाब देना चाहती हूँ, क्योंकि सदन में कहीं यह न समझ लिया जाय कि उन का जवाब देने वाला कोई नहीं है और इस लिए वे सही हैं। इसी लिए मैं ने उन का जिक्र किया है। अब यही उचित है कि हम भाई भाई और अच्छे पड़ोसी बन कर रहें और भविष्य में एक दूसरे की मदद करें।

माननीय त्यागी को श्री बलबंतराय जी ने बताया है कि गुजरात की क्या स्थिति है। बहुत से लोग हम को कहते हैं कि गुजरात तो धनी है, वह पिछड़ा हुआ नहीं है, इसलिए उस में सहायता की क्या जरूरत है। यह भी कहा जाना है कि वहाँ पर चीनी मिलों बाने हैं। ऐसे कुछ लोग हमारे यहाँ हैं। यह नहीं कि नहीं है। वे बड़े देश-प्रेमी और माहिर भी हैं। उन का कांटीव्यजन रहा है, है और भाग भी रहेगा। मगर उन को देख कर यह तय न कर लिया जाय कि

गुजरात धनी है। मैं घाज को बताना चाहती हूँ कि हमारे यहाँ २६ लाख तो घादिवासी हैं और १५ लाख हरिजन हैं, जिन का परसेंटज घाबादी में सारे देश में सब से अधिक है। तब भी कहा जाता है कि वे धनी हैं, उन को पैसा देने की क्या जरूरत है। मैं तो यह कहती हूँ कि उन का शुभाशिय हो और वे धनी हो जायें, तो फिर हम को पैस की जरूरत नहीं रहेगी। हमारे दिल में तो यही कामनायें हैं कि हम उन का कल्याण करें, जो हमारे पिछड़े हुए लोग हैं। जैसा कि बापू ने बतनाया था, हमारे सामने कौन है। दरिद्र-नारायण ही हमारा इष्टदेव है। गुजरात में बापू पैदा हुए थे। इसलिए हम समझते हैं कि उन की ओर हमारा खास ध्यान है। हम चाहते हैं कि हमारी जो स्टेट बने वह शरीरों, पिछड़े हुए घादिवासियों और हरिजनों की ओर निगाह रखें।

श्री क० उ० परमार : (प्रहमदाबाद—रजित—अनुसूचित जातियाँ) : गुजरात में हरिजनों की जो वशा है, वह सारे भारत में नहीं है। उन के लिए घाज ने क्या कदम उठाया है ? मैं गुजरात से आता हूँ और मैं यह जानता हूँ।

I am the only Member here and I know it.

श्रीमती जवाबेन शाह : इसीलिए तो हम यह कर रहे हैं।

उपाध्यक्ष महोदय : वह यही तो चाह रहे हैं कि स्टेट होगी, तो वे कदम उठावेंगे। यही तो वे कह रहे हैं।

श्रीमती जवाबेन शाह : दरिद्र-नारायण हमारा इष्टदेव हो उस की याद हम मौके पर गुजरात के दिन में भर घानी है। हम चाहते हैं और हम प्रार्थना करते हैं कि इन उस के कारिबन हों और हम उस की बिदयन कर सकें, इनकी ताकत और शक्ति हम को ईश्वर दे। घाज हमारे दिल में कोई और बात नहीं है। हम

[श्रीमती जयाबन शाह]

सब भूल रहे हैं। हम एक्मपेंशनलिस्ट भी नहीं हैं कि हम घोरों का मुल्क ले लेना चाहते हैं। हम अपनी आबादी आर्टिफिशियली बढ़ाना भी नहीं चाहते हैं। जो कुछ हमारा हो, उसी से हमें काफी संतोष है। इतना ही मैं कहना चाहती हूँ और आप ने मुझे जो समय दिया है, उस के लिए आप को धन्यवाद देती हूँ।

Shri Tyagi: Mr. Deputy-Speaker, Sir, I heartily welcome the proposal that this Bill may be considered by the Joint Committee. This is a question which has been a matter of hot controversy in the whole of India. For some time past this question has been discussed not only in this forum but elsewhere as well. No doubt there has been some bitterness on this question but the whole nation will now be pleased to know that ultimately a solution has been found out.

Both these States are very potential ones and their politicians are good—astute politicians. I am quite sure that both these States will prove to be a model for the other old States, although they are new. They have a nice personnel to control and run the administration. They will prove to the whole of the nation that they are ideal States particularly in the matter of economy, etc. I am quite sure Gujarat will lead the whole country in the field of administration. They are new States but they have had the experience of all the pit-falls and the progress made by other States. They have learnt lessons from them. Both of them will surely be model States.

However, there is one thing which I would like to say and which I cannot omit. Since the time the S.R.C. was going to be appointed—and even in the Constituent Assembly—I have been opposing this idea of linguistic States. I have not been in agreement even with the so called Congress High Command in this matter, and I always have been feeling—though lonely—

that there should not be linguistic States. In the days of Gandhiji there was a trend towards consolidation of the nation—not only communities and religions but others also were all united, for all practical purposes one united India—and we actually won for ourselves a united India. The British left us in two pieces. I am reminded of the great personality, Sardar Patel, who completed within a short time the integration of the whole of India, bringing together all the 500 and odd States. He made it one united India. But it was unfortunate that Potti Sri Ramulu went on a hunger strike and we were just led into this issue of carving States on the basis of language, etc. It was unfortunate indeed.

Shri Thirumala Rao (Kakinada): I should like to give information about the Andhra State. It had an history of 45 years behind this agitation.

Shri Tyagi: That is true. But the crucial moment came when such a great patriot gave his life for it. That was a crucial moment which could not be resisted. That is why I am referring to it. I pray not only to the hon. the Home Minister but to the whole nation to now cry a halt to this process of disintegration. I hope the Government will take a little stiffer attitude in this matter from now onwards. I am quite sure if we had resisted the demand for S.R.C., perhaps things would not have come to such a pass. If we do not cry a halt now, my fears are the nation will get further divided. If the door is kept open, my fears are that perhaps Vidarbha will become one State. If the so-called popular Government goes on yielding to popular voice of a group of people—if that logic continues to be applied to our policies on matters like this, not only Vidarbha but Punjabi suba also must come into being. Nobody would be able to resist it.

Shri Surendranath Dwivedy (Kerdrapara): And U.P. will be divided.

Shri Tyagi: And perhaps U.P. will be divided. Saurashtra might in due course become a separate State. I do not know—there might be a tribal State as well. This process will go on and my fears are that the nation's progress—we are having so many development schemes—will be hampered to a great extent.

Dr. M. S. Aney: I think that my hon. friend does not put Vidarbha on the same footing as the tribal people.

Shri Tyagi: Now the Constitution makes it very easy. At the time of making the Constitution also this question was thoroughly discussed. Now the question of two-thirds majority, the taking of views of all the States, the absolute majority of this House, etc.—all those restrictive clauses which restrict the amendment of the Constitution do not apply in the matter of creating new States. It is not the present Government in power, many Governments might come in future—every Government might like to be a little more popular. I think, perhaps, the time has come, after the hon. the Home Minister and the Government are satisfied that the States have been fairly carved out, to change that Article of the Constitution and not allow an easy amendment to the Constitution with regard to the creating of new States. Otherwise, if it is left to the vagaries of the majority in power, my fears are that more new States have to be carved out. It is a pity that the politicians as a whole—I include all the politicians of India comprising all the parties—have not just proved their merit. I mean the whole generation of today has just failed to face the situation and we have yielded to all types of popular slogans and the result is that India is still divided.

Shri D. R. Chavan (Karad): It is not division; it is a process of integration.

Shri Tyagi: The historians will write that the politicians of this generation have not been able to rise to the occasion, that they have not been able to resist the popular voice. The politicians do no doubt get elected

popular vote, they must resist whenever there is an occasion to do so. They must be able enough to resist the popular voice, the so-called popular voice not only in the interest of the country but also in the interest of the unity of the country. The slogans of language, etc. are quite good logically, but if you look at it from the emotional point of view, one does not like the idea of one part of India being recognised by means of one language and another part of India by means of another language. We are one people. We should not stand divided, even by religion and other things like caste and community.

There is another point. Perhaps the tendency will go on so long as the States are enjoying the powers that they do at present. Today the politicians in the States have got the balance of power. It is the States who directly deal with the people. Therefore, with a view to stopping this process of bifurcations and disintegration it may perhaps also be necessary to see that the powers of the States—since their number is increasing—are reduced to some extent just to make the Centre stronger enough not to ultimately allow these States to go astray. In due course of time, because of the popular demands, it may become difficult to settle the differences between one State and its neighbouring State or between the State and the Centre. There might come a time in this process when the States might like to be independent of the Union. I am drawing a very dark picture, but that is what my fears are. I suggest that the time has come, after this reorganisation is completed, to amend the Constitution in a manner so that no such contingency may be allowed to sway the judgement of Parliament.

Shri Surendranath Dwivedy: Are you suggesting a unitary system as a solution?

Shri Tyagi: A system whereby States may enjoy local powers. I do not want to deprive the States of the power of doing real service to

[Shri Tyagi]

the people. They would be doing that. But there must be some such relationship finally established as to see that all the States look forward to the unity.

Shri P. R. Patel: Yes, so far as the projects are concerned.

Shri Tyagi: Coming to the Bill it has been fairly well considered. It was a controversial question, that is another matter, and even now there may be some people who might accuse the Home Minister or the Government of not having been quite fair, because people will look at the Bill from their own angle. Nobody can produce a Bill which will be unanimously accepted. It will be criticised from many angles, but on the whole I feel it is a balanced judgment, and since it has been arrived at with the consent of the people, the representatives of the people, I hope it will be well-received by the people there.

There is no doubt that my friends who come from Gujarat might feel a little about having to lose Bombay from the sentimental point of view because their centre of business has been there. One likes to have one's centre of business in one's own State. If I belong to U.P., I would very much like my centre of activity, of business etc., to be mostly in U.P., so that I might seek protection whenever I need it from my own representatives. That is very natural. That may be so, but I am quite sure the situation is not quite so bad yet that Gujaratis should in any way feel insecure in Bombay, because, after all, there are Punjabis, Bengalis and others spread all over the country engaged in their own industry or commercial activity. That has been the fashion for a long time past in India that we have been freely running our trade or business anywhere irrespective of the territories of a State. On that basis, I am quite sure that the commercial or industrial activities of the Gujaratis in Bombay would not in the least be adversely

affected. I hope the Bill will be passed with the agreement of the Members of this House also, as the people will read the speeches made in this House. I hope we will give them our best wishes and pass the Bill as far as possible unanimously. I support this Bill.

Shri Siva Raj (Chingleput—Reserved—Sch. Castes): I rise to support this motion to refer the Bill to a Joint Committee, I wish to assure you that I do not want to take part in the wordy warfare on what I call very minor issues between the virile Maharashtrians and the fragile Gujaratis.

I know that with the good offices of the Home Minister, all these issues can be settled, or straightened out, in the Joint Committee itself where representations can be made on behalf of every point of view.

So far as our party is concerned, we have taken the view that the best approach to this problem is the feeling expressed by the good old saying that all is well that ends well. Secondly, we are also actuated in discussions like this by a desire to follow what we call the middle path which the hon. Home Minister seems to have employed very successfully in the solution of this question.

My congratulations, in the first place, go to the people of Bombay, of the two units, Maharashtra and Gujarat, for their heroic fight and sacrifice which they have gone through in order to obtain their objective. In the second place, my congratulations go to the ruling party which is dominated by what they call the High Command, in that wisdom has dawned on them, though late, in that they have got the courage of conviction to revise their opinions and grant what is really the desire of the people in any part of the country. That seems to be a happy augury for the running of democracy in our country.

My third, and not the least, is my congratulations to the Home Minister. This Bill expresses the moderation and the ability with which he has brought about this settlement. In fact, this Bill records a settlement that has been arrived at with his intervention between the two sections of the population of Bombay.

14 hrs.

We, may have differences with the Home Minister, in fact I too have on one or two vital issues, but that does not stand in the way of paying my tribute both on my own behalf and on behalf of the Republican Party for the ability and the tact, the care and the caution and what is more, the sincerity of purpose which he has brought to bear upon the settlement of this issue which was causing a lot of unhappiness to the people of bilingual Bombay.

Such issues as have been raised by our friends, the Maharashtrians as also the Gujaratis, can best be left to be decided by the Joint Committee, and I hope there also wisdom will dawn and people will grapple with the realities of the situation and come to a settlement.

I was listening very intently to the speech of my old and esteemed friend Dr. Aney and his advocacy of the cause of Vidarbha. There is no doubt whatsoever that Dr. Aney is one of the ablest and most patriotic citizens of India, and that he, in his own way, has contributed his mite to the advancement and progress of our country. He has himself said that he has lived in an age which is gone by, and with all the sympathy that I have for him, for the cause that he has so vehemently put forward and for the appeal which he so fervently made to this House, I think the time has come when we have got to take things as they come and abide by what I call the decision of events or the logic of events. In a fast-changing world like ours, ideas change quickly, people also change very quickly, and, as has been said by somebody, the orthodoxy of yesterday becomes the heterodoxy of today. With these

remarks I still want to express my sympathy for the demand made by my hon. friend Dr. Aney.

With reference to the remarks made by my hon. friend Shri Tyagi, it is no doubt true that this question of linguism has taken a very ugly turn in our country, but once we sow the wind of linguism, it is very difficult not to reap the whirlwind of distintegration. Who is responsible for this sort of thing we do not know, but even if it is true that linguism is a feature of our political tendencies in India today, I join Shri Tyagi in appealing to all concerned, not merely the hon. Members of this House but also people outside who take part in the public life of the country, not to make linguism the main feature of their politics or the main feature of their political contribution.

There is one other matter which I should like to refer to in this connection. I have read some speeches made in the Bombay Legislative Assembly with regard to certain areas like Umbergaon and Dangs. I have also heard the speeches of my hon. friends from Gujarat, like Shri Yajnik and others. There is only one test that I would suggest to the hon. Home Minister and to the Members of the Joint Committee, that if it comes to a question of a review of the allocation of these areas between these two units, so far as the backward areas, if such there are, in those parts are concerned, they must be handed over to an administration which can have—of course, all administration is impersonal—on its body, like the State Governments, persons who will have the interests of the poor people and the down-trodden people and backward people at heart.

In taking that point of view, I may be wrong, but I feel, knowing as I do to a little extent the people of these two units, that the welfare of the backward areas is safer in the hands of the Maharashtrians than in the hands of the business-minded Gujarati friends.

With these words, I support the motion for reference of this Bill to a Joint Committee.

Shri Tyagi: The last remark was the bitterest.

Shri Valvi (West Khandesh—Reserved—Sch. Tribes): I am grateful to you for giving me an opportunity to speak on the Bill for the bifurcation of the Bombay State. However, I shall confine my views to the Adivasi areas.

I have gone through the Bill carefully, and I find it most detrimental to the Adivasi areas. I am sorry to say that no principles have been adopted for the inclusion of the Adivasi areas in the proposed new States, nor do I find in the Bill mention of rehabilitation of the persons who are likely to be displaced by the Ukai project. Three-fourths of the area of about 156 villages are populated by the Adivasis to the extent of 85 to 95 per cent. On account of this Bill, one-third of the area will be in Gujarat and one-third of the area will be in Maharashtra, and the remaining one-third will be submerged in the Ukai dam.

Again, the area in the hills will be separated by the proposed Narmada project. The two-mile strip on each side of the river Tapi is going to create more complicated problems. The administrative, communicative, social and economic life of the taluks of Nandurbar, Nawapur, Akkalkuwa and Taloda will be shattered by these two-mile strips. Therefore, the case of the Adivasi people deserves special care and consideration.

I would like to bring to the notice of the House the fact that the Adivasi people are the weakest link in the national chain. Their problem should be approached in a missionary spirit. The problem should not be considered from a narrow point of view. Nothing should be taken for granted, and nothing should be imposed on them, and nothing should be done without consulting the people. If they are to be assimilated, that should be with their own consent and of their own will.

I am of the opinion that the Adivasi area should not be divided because of political reasons. If divided, there will be a political death of the Adivasi people.

In conclusion, I would like to make one suggestion, and that is that the disputed areas of the Adivasis should be governed by the Central Government, and a plebiscite should be taken at a later stage.

Shri Mahagaonkar: While speaking on this Bill, my first duty is to salute those who have sacrificed for Gujarat and Maharashtra. That is also a proud thing for me as one of the Members of the Samyukta Maharashtra Samiti that fought for this cause.

In this House, on a prior occasion, I had requested the House to reconsider this issue of the bifurcation of Bombay, and I am very happy that this issue has been taken up, and it has now come to its final stage. But, as regards the Bill that is before us, I would like to say that I firmly stand to oppose certain provisions in this Bill. As regards the name 'Maharashtra' for the new State, I am very happy that the amendment suggested by the Bombay Assembly has been accepted, and the hon. Home Minister has suggested to the House and to the Joint Committee to consider it. But there are two things which I firmly oppose, namely the inclusion of certain Marathi areas in the new State of Gujarat and the tribute of Rs. 50 crores that has to be paid by Maharashtra. I oppose these two provisions in this Bill. While doing so, I would say this that no principle in this respect has been followed, and it is a clear injustice. I would like to say, as many hon. Members have already pointed out. Some hon. Members have criticised us; many have said that we are parting like brothers. But as one hon. Member said, there is some kind of bargaining attitude that we find while we part as brothers.

In this Bill, in a proviso in the Tenth Schedule you will find that even

typewriters, duplicators, clocks and vehicles are to be divided between the States of Bombay and Gujarat according to the population ratio. If this is the attitude, you can see whether it is a parting like brothers or it is something like a bargaining that is going on between the two brothers.

Other things are also there. No principle has been followed while including the Marathi areas in Guparat. Much is talked about elections and about the voting. Let me tell you that those sarpanches who have voted for inclusion of Umbergaon and other places in Gujarat were nominated. They were not elected. This is not a question of a border dispute only between Maharashtra and Gujarat. There are so many border disputes throughout the country.

I know many people have talked about safeguards to the minority community in Bombay. But so far as we, the Marathi people, are concerned, we are struggling hard in certain areas in certain States of this country. Are we not Indians? There is a big minority in certain States where we are humiliated and treated with the shoes of police rule. Is it not worthwhile to consider this problem when we are told: 'You put up those problems in a most provincial manner'? Those who have got their linguistic States are quite happy. But when we demand the same, they say that this sort of demand will lead to the accentuation of provincialism everywhere. This is just like a well-fed man telling a hungry man: 'You may drink a glass of milk; I am sorry if you are so hungry'. He cannot afford to drink milk. They have got their linguistic States all right.

Shri P. S. Daulta: The Punjabis have not got it so far.

Shri Mahagaonkar: There may be a few exceptions. But others have got their linguistic States. When we put our demand for the same, why are we singled out for this accusation?

We were told that the bilingual experiment was going on and it would give a lead to the nation. Why was this not tried in other States? Why was the idea of a Bengal-Bihar State discarded? Only Maharashtra and Gujarat were put together. My hon. friend, Shri Tyagi, said that there should be no more demands. I cannot understand this when we talk of a socialist pattern of society in the country. If there is a demand from the people, should it not be satisfied according to the wishes of the people? I do not know how Government are going to keep quiet on such issues.

There should be some principle that should be adopted for the demarcation of boundaries. The Bombay Assembly itself passed a resolution recently, with reference to the question of the border dispute Bombay has with Mysore, to the effect that in the demarcation of the boundary between the State of Bombay and the State of Mysore, the guiding principle must be that of linguistic homogeneity. I should like to ask why the Pataskar formula was not followed with respect to Dangs and Umbergaon. The whole thing was done in a hurried way. They say that it is a matter of give and take. On the part of Maharashtra, it is all 'give' and there is no 'take'. On the southern border, we have given—it has gone rather—against our wishes. On the northern border, now Dangs and the other portion are going away.

Mr. Deputy-Speaker: Still we have to sit together in the Joint Committee and discuss.

Shri Mahagaonkar: Yes. But I am stating that these are the things that are happening today. I do not know whether the hon. the Home Minister has taken cognisance of the way we are treated in certain areas. He may differ with the movement that is started by the Marathi people in certain places, but certainly under democracy, he cannot say from the way the police *culum* is going on there and the people are struggling, that it is all

[Shri Mahagaonkar]

imagination. Even the other day somebody said that this episode was similar to the episode in South Africa.

Many people talk about Vidarbha. With due apologies and respect to the hon. Member, Dr. M. S. Aney, I must say that when he spoke about Vidarbha, he said a lot of things against other people. He said that those Members who are sitting behind him are not representative of the people of Vidarbha and his is the only voice of Vidarbha. Let me remind my hon. friend, Dr. M. S. Aney, what memorandum he submitted to the SRC. There he has particularly criticised the people of my constituency in Maharashtra, that is, Kolhapur and Satara. He has made a remark that communalism is on the increase. Who looks at it from this communal point of view? I put it to my hon. friend that he is looking at it from that point of view. Why is he afraid of Samyukta Maharashtra that the Marathi people asked for? He says that majority community rule will come. According to him, the Maharashtra of intellectuals like Tilak and others was a different Maharashtra. Why is he afraid, if the majority leadership comes forward to rule their own State? He looks at it from a different point of view and then comes forward and says that that provincialism and casteism are on the increase.

The way Dr. M. S. Aney himself played politics is known to us. What did he do in 1934? He fought against Shri Abhyankar and supported the Hindu Mahasabha candidate, Dr. Moonjee. Then again he broke with the Congress Party. . . .

Mr. Deputy-Speaker: He need not go into all that here.

Dr. M. S. Aney: He is referring to old incidents about which he has no full knowledge. Dr. Moonjee was contesting on behalf of the responsive Cooperative Party and not of Hindu Mahasabha.

Shri Mahagaonkar: His ideology is based on the same thing.

Mr. Deputy-Speaker: Order, order. When I rise, the hon. Member must resume his seat. Dr. Aney's conduct—his speeches and other things—so far as other issues are concerned is not relevant here. So far as this issue is concerned, if he has expressed any opinion, that may be referred to—not other things.

Shri Mahagaonkar: No, Sir. He said that provincialism and casteism are on the increase.

Mr. Deputy-Speaker: He has dealt with it.

Shri Mahagaonkar: I want to point out that when people look at others from their own angle, they find that those people are also like that. That is the only point which I want to bring to the notice of the House.

With some mixed feelings, I welcome the move on the part of Government. To some extent, if not to the full, the goal of the members of the Samyukta Maharashtra Samiti who have been struggling for the welfare of the Marathi people has been achieved. The entire area of Marathi-speaking people has come under the rule of one Government, though I am sorry there are certain places still remaining outside. I do not know in what light and when the House will consider that. But while parting with our Gujarati friends, let me tell them that we do not want an inch of a Gujarati village in Maharashtra. If there is any village in Maharashtra which has a Gujarati-speaking majority of people, I would request the hon. Home Minister and the Joint Committee to consider the matter thoroughly and give it to the new Gujarat State. Similarly, if there are Marathi-speaking areas not only in Gujarat but in other States, they should be transferred to Maharashtra.

While we are creating the Maharashtra State, let me say that it has a

heritage of the great Shivaji. I would like to point out on this occasion that in certain places even the much-revered and much-respected Shivaji was insulted.

Shri Basappa: On a point of order. The hon. Member is trying to bring in the question of the law and order situation again. It was prevented from being referred to in this House. He is also raising the issue of the border between Mysore and Bombay, and he is indirectly accusing the Mysore Government.

Shri Mahagaonkar: I have not referred to Mysore. I just mentioned what happened.

Mr. Deputy-Speaker: He has not said that. It has already been ruled by the Speaker that other disputes should not be referred to here. I did not hear the hon. Member refer to it. Perhaps the hon. Member on the other side only anticipated that he was going to refer to it.

So far as the other incident—about Shivaji—is concerned, I have already said that it may not be mentioned again and again here.

Shri Mahagaonkar: I am only saying that we are happy that we have that history and that heritage.

Shri Achar: We have the greatest respect for Shivaji. (*Interruptions*).

Mr. Deputy-Speaker: Order, order. That heritage is there; nobody doubts that.

Shri Mahagaonkar: Why should there be doubts when we say that safeguards for the minority community in Bombay should be given? We say proudly that we are successors of that great man. (*Interruptions*).

Mr. Deputy-Speaker: Let there not be so much impatience about it.

Shri Mahagaonkar: So, with these words I resume my seat.

Mr. Deputy-Speaker: Shri Naldurgkar.

Shri Basappa rose—

Mr Deputy-Speaker: I have no objection to giving time to Shri Basappa. But I must be sure he would not refer to other matters. He has been feeling restless about other questions and surely he would refer to them. I cannot allow that (*Interruptions*).

An Hon. Member: Shri Naldurgkar is not here.

Mr. Deputy-Speaker: Swami Ramananda Tirtha.

Swami Ramananda Tirtha (Aurangabad): Sir, within the five minutes at my disposal I will only refer to a few matters. I heartily support this Bill as it satisfies the wishes of vast sections of the people of what is now a bilingual State of Bombay. On this occasion, it is our duty to thank all those who have worked in a constructive way to bring about the emergence of the two new unilingual States of Maharashtra and Gujara.

I also take this opportunity to pay a tribute to the Chief Minister and the Deputy Leader of the present Bombay State for the statesmanship they have shown and for the manner in which they have agreed to usher in the two new States. The Chief Minister, who, in his own convictions always supported or held the idea of a unilingual State, agreed to work sincerely the decision which this august Parliament took in its own wisdom and also advised the Government of India to revise the decision when he felt that it could no more bring about the emotional integration of the constituent units of that State.

It is our duty also to thank and pay a tribute to the Finance Minister of Bombay who has placed the finances of that State on a sound basis. We all wish well of the Gujarat and Maharashtra States that in future

[Swami Ramananda Tirtha]

they may grow and help the prosperity and growth of India.

Sir, this Bill has to be looked at as a whole. If you look at it in parts, there is bound to be some dissatisfaction, something which we may complain against because that part may not be liked by some, this section or that section. Looked at as a whole, it will appear to be one of the best solutions that anybody could have brought about in a constructive way.

The Home Minister who has solved many knotty problems has gain come to the rescue of the people of Maharashtra and Gujarat and given us a solution. That has to be accepted in all good faith and with a desire that we part as friends and would continue to live as good neighbours.

On this occasion, I would like to mention only one point. It has been somewhat complained by some hon. friends that Gujarat is being paid something which is not its due. I am not thinking in terms of what is due and what is not due. But, in the heart of my hearts, I do feel that Gujaratis, the people of Gujarat, have had their own contribution to make Bombay city what it is today. Morally, we are bound to be of some use, in future, to them when they are really in need. Therefore, let us not talk in terms of Khandani and tribute and this and that. Let us forget that. Let Gujarat grow, if at all it is so, even at some sacrifice on the part of the Maharashtrians. Let it grow and grow in a way that would set a good example before the nation. After all, Gujarat and Maharashtra have produced great leaders and they have made what India is today. Gujarat has given us the greatest and the noblest son who has raised humanity's hopes and aspirations.

Sir, on this occasion, I would only plead for greater sanity and sobriety. Let us forget now all the bitterness.

of what happened in Bombay, what happened in Ahmedabad, what happened two years before and what was happening and all that. Let us forget all the past bitterness and, in all good faith, part as friends. Let Shri Yajnik, Shri Goray and all of us work for the new States of Maharashtra and Gujarat as constituent units of this great Republic of India and make this a truly socialist country in our own way by working for the most downtrodden and the fallen people of society.

श्री नजराम सिंह (फिरोजाबाद)

उपाध्यक्ष महोदय, मैं इस विधेयक का स्वागत करता हूँ और इस अवसर पर महाराष्ट्र और गुजरात के लिए शहीद हुए लोगों के प्रति अपनी तुच्छ श्रद्धांजलि प्रेषित करता हूँ जिन्हें सरकार की गलत नीतियों के कारण इस बड़े उद्देश्य के लिए शहीद हो जाना पड़ा। इस विधेयक में कुछ व्यवस्थाओं के बारे में हमारे महाराष्ट्री भाइयों को कुछ शिकायतें हैं। ये शिकायतें हमेशा रह सकती हैं जब हम भाषावार प्रान्तों का निर्माण करते हैं। भाषावार प्रान्तों का निर्माण जहाँ कुछ उद्देश्यों को नष्ट कर शुरू किया गया था जोकि एक सही कदम था, वहाँ आज अपने गल्ट में उसने कुछ ऐसी प्रवृत्ति भी प्रकट की है जिससे के बड़े हितों को हानि पहुँच सकती है। लेकिन क्योंकि हम ने इस सिद्धान्त को मान लिया इसलिए देर आराम दुर्लभ आराम वाली बात यहाँ पर लागू होती है। मैं समझता हूँ कि शुरू में ही अगर सरकार ने इस चीज को मान लिया होता तो इस तरह की जो गलतवर्तें हुई हैं, लोगों को शहीद होना पड़ा है, वह न होना पड़ता। मैं इस अवसर पर चाहता हूँ कि अगर देश में इस तरह की और भी कोई समस्याएँ हों तो गवर्नमेंट को तथा देश की जनता को और कम से कम उन लोगों को जोकि देश के प्रबन्ध के लिए जिम्मेदार हैं, बिना ऐसी परिस्थितियों को निर्माण दिये हुए जिन में कि कभी भी शान्ति और व्यवस्था

कायम करने के नाम पर नर-हत्या करनी पड़े, पहले ही से विचार कर लेना चाहिए। मैं मानता हूँ कि इस तरह के कार्य के लिए, भाषावार प्रान्तों के निर्माण के लिए, कोई इस तरह का भ्रान्दोलन नहीं चलाया जाना चाहिए जिस से इस तरह की कोई समस्या पैदा हो, ना एंड घाईर की समस्या पैदा हो। मैं यह भी मानता हूँ कि जब भी इस समस्या को धागे रखा जाता है तो उससे हमारी दूसरी समस्यायें, हमारी रोटी कपड़े की समस्या, हमेशा पीछे हट जाया करती है और जनता का दिमाग, जनता से सम्बन्ध रखने वाली मुख्य समस्याओं से पीछे हट जाता है और यही एक समस्या उसके सामने रहती है। इसलिए मैं निवेदन करता हूँ कि देश के दूसरे हिस्सों में भी यदि कहीं पर इस तरह की बात उठ रही हो तो हमें, इस बात का इतिहास किये बिना कि जिस तरह कहीं पर एक व्यक्ति शहीद हुआ और उसकी वजह से आंध्र प्रदेश का निर्माण हुआ और मैकडों लोग महाराष्ट्र और गुजरात में शहीद हुए, इसलिए महाराष्ट्र और गुजरात का निर्माण होने जा रहा है, उन समस्याओं पर भी शान्तिपूर्वक ढंग से विचार कर लेना चाहिए।

मैं यह भी निवेदन करना चाहता हूँ कि देश के जिन हिस्सों में भाषायी प्रश्न को ले कर नये प्रदेशों के निर्माण की कोई मांगें उठ रही हैं उन लोगों को जो कि इस तरह की मांगें उठा रहे हैं, कोई ऐसा भ्रान्दोलन खड़ा नहीं करना चाहिये जिस से शांति और व्यवस्था कायम रखने का प्रश्न उठे या इस तरह का प्रश्न उठे जिस में किसी को शहीद होना पड़े। कारण और कार्य को देश की जनता के सामने रख कर हम उन समस्याओं को हल कर सकते हैं। इस वास्ते मैं दोनों पक्षों से, एक पक्ष तो वह है जिस के ऊपर जिम्मेदारी आती है देश के शासन को चलाने की और दूसरा पक्ष वह है जो कि इस तरह की मांग को उठाता है, नम्र निवेदन करना चाहता हूँ कि वे कोई ऐसा

कार्य न करें जिस से देश की जनता का ध्यान मुख्य समस्याओं से पीछे हटे। इस लिये यदि कोई इस तरह का प्रश्न है तो उस प्रश्न का समाधान किया जा सकता है, शांतिपूर्ण तरीकों से मिल बैठ कर किया जा सकता है, एक दूसरे से बातचीत करके किया जा सकता है, आपस में आगू करके, दलीलें दे कर किया जा सकता है और भ्रान्दोलन खड़ा करने की या धमकियां देने की कोई आवश्यकता नहीं होती चाहिये और जब इस किस्म की बातें होती हैं तो देश को नुकसान पहुंचता है। देश को नुकसान पहुंचाने का कोई प्रश्न नहीं उठना चाहिये।

उपाध्यक्ष महोदय, मेरा मन्तव्य किसी एक सूबे से नहीं है। अगर कोई भाषावार प्रांत है के निर्माण को मांग करता है तो मैं समझता हूँ कि उसमें उसकी देश-भक्ति पर कोई आंच नहीं आती है, उस पर अविश्वास करने का प्रश्न नहीं उठता है। इस देश के रहने वाले सभी लोगों का यह परम कर्तव्य है कि वे इस देश के प्रति वफादार हों, वे सभी देश की रक्षा करना चाहते हैं देश को उठाना चाहते हैं और इस लिये इस प्रश्न को अगर कोई लां उठाते हैं तो हमें यह नहीं देखना चाहिये कि कोई खास वर्ग के लोग इसे उठा रहे हैं, इस लिये हम उस पर विचार न करें। इस सम्बन्ध में मैं और कुछ विशेष कहना नहीं चाहता हूँ और मैं यही आशा करता हूँ कि भविष्य में कोई भी पक्ष, चाहे वह जनता का पक्ष हो, भले ही वह वक्त की सरकार का विरोधी रहा हो या हो, या सरकारी पक्ष हो, कोई ऐसा कदम नहीं उठायेगा जिसमें शांति और व्यवस्था भंग हो और सरकार को यह कहने का मौका मिले, यह बहाना बनाने का मौका मिले कि उसे शांति तथा व्यवस्था के नाम पर गांधी जलानी पड़ रही है, हत्यायों की करनी पड़ रही है। हत्यायों सरकार को भी नहीं करनी चाहिये। इस तरह की परिस्थितियां जब पैदा हो जाती हैं तो दूसरे प्रश्न जो हैं, जो

[श्री बजराल सिंह]

मुख्य प्रश्न है, उन पर मैं उनका ध्यान हट जाता है, रोटी कपड़ा, शिक्षा इत्यादि जो कि मुख्य प्रश्न हैं, उनसे ध्यान हट जाता है और जनता दूसरी तरफ वही जाती है। मैं समझता हूँ कि सरकार भी इस से शिक्षा लेगी और व लोग भी लेंगे जिन के ऊपर जन-जीवन को आगे बढ़ाने की, जनता की राज-नीति को चलाने की जिम्मेदारी है। कभी भी कोई ऐसा मवाल नहीं उठना चाहिये, चाहे वह भाषावार प्रांत की रचना का सवाल हो या दूसरे किसी प्रांत के निर्माण का सवाल हो, जिस में कोई अन्दाजन खड़ा करने की बात उठे क्यों कि इससे आपस में कटुता उत्पन्न होती है। अगर कोई प्रश्न है तो उसको हल किया जा सकता है आपस में बैठ कर, विचार विमर्श करके, गोष्ठी करके और एक दूसरे को दलीलें दे कर, समझा बुझा कर। एक बार फिर मैं महाराष्ट्र और गुजरात के निर्माण पर वहाँ की जनता को, जिसने कि यह महसूस किया कि कुछ गलती हो गई थी और उस गलती को दुरुस्त कराने के लिये कुर्बानियाँ की और उसकी वजह से कुछ लोगों को ग़रीब होना पड़ा, बर्खास्त देता हूँ और जो ग़रीब हुए हैं उनके प्रति अपनी श्रद्धांजली अर्पित करता हूँ। मैं इस विधेयक का स्वागत करता हूँ और आशा करता हूँ कि महाराष्ट्र और गुजरात में एक ऐसे जीवन का पदार्पण इसमें होगा जिससे वहाँ की जनता सुखी और समृद्धिशीली हो सकेगी।

अंत में मैं एक चेतावनी देना चाहूँगा कि केवल भाषावार प्रांतों के निर्माण में ही जनता की जो समझाये हैं वे हल नहीं होती हैं। हो सकता है कि इसमें उसमें कुछ मदद मिले क्योंकि जब एक भाषा हो जाती है तो वहाँ के प्रशासन को चलाने में उससे कुछ मदद मिलती है। लेकिन एक विदेशी भाषा को हम प्रशासन की भाषा बनायें गये तो उस से कोई विशेष फायदा नहीं होता है। इस लिये मैं आशा करता

हूँ कि जो दो नये प्रांत बन रहे हैं, वे भी हिन्दुस्तान के अन्य भाषावार प्रांतों की तरह ऐसे नहीं बन जायेंगे जिसमें जनता की समस्याओं का समाधान न हो सके बल्कि ऐसे कार्य करेंगे जिनसे वहाँ की जनता की समस्याओं का, दूसरे प्रदेशों में अधिक प्रचंडी तरह समाधान हो सके।

Shri Basappa: Sir.....

Mr. Deputy-Speaker: He should speak only on this.

Shri Basappa: I have been asked to ignore some of the remarks made by the other side and I am going to obey your ruling. Member after Member as you all know, spoke about the Mysore border.... (Interruptions)

Mh. Deputy-Speaker: He should be allowed to complete the sentence.

Shri Basappa: and though others expected that would also refer to major border. I will not do that except that I have this much to say that I refute some of the statements made by them (Interruptions.) Particularly one friend referred to Shri Datar and said that he would be the first man afterwards to come and say that Belgaum belonged to Maharashtra. I strongly refute that. He would be the last man to do that..... (Interruptions.)

Shri Goray: That is exactly what I said. He will be the last man to do so.

Shri Basappa: I do not want to say that the feelings of this House are aroused to a great extent. From the emotional and excited speeches we have heard, we have come towards the end of this debate when a little calmness prevails and I would welcome this atmosphere and I do not want to vitiate it. There had been mixed feelings of joy and sorrow

when I heard Dr. Aney. He was sorry and grieved. When I heard Shri Goray and Dange, there was joy and pride. I do not know why. But when I heard the hon. Home Minister, there were mixed feelings of joy and sorrow—joy because in a friendly atmosphere the two States are separating and sorrow because we are reopening a question which we have decided very recently in this very House.

Everyone of us knows the hon. Home Minister. Shri Chavan also expressed the view that it was a very complicated and intricate problem: whether it is a border question or the splitting up of the bilingual State, it is a complicated one. It should be looked with sympathy and not with pride. Therefore, we all look forward to the hon. Home Minister who has piloted the Reorganisation Bill and who is piloting this Bill. We all wish him God-speed. May I humbly say this? I know myself that we are inflicting a little cruelty on him and making him sit for longer hours. But may I ask him humbly: if these big questions are not solved by him, who else can do this in this country? In that spirit, I would certainly welcome his speech. What, after all, has he said? With regard to the controversial question of the border, he has been doing his very best and he has been finding a solution to these problems. My friends are asking about principles involved in these things. What better principle can there be than the wishes of the people and the consent of the people, of a large majority of the people there as ascertained by the leaders of both Maharashtra and Gujarat? As against this my hon. friends, Shri Dange and Shri Goray want to bring in the village unit. I am speaking only of the border of Gujarat and Maharashtra.

Mr. Deputy-Speaker: I would allow him only that much.

Shri Basappa: In this principle—the village is the unit, that is, the Pataskar formula as it is called—the wishes of the people are ignored com-

pletely. Whether it is the Dangs question or it is the Umbergaon question, the wishes of the people had been ascertained as depicted by some hon. Members and therefore, what they have done is to a very great extent right and the Joint Committee will go into the whole question. I may say here that I am not claiming Umbergaon to Karnataka when I say that Chalukya kings of the Karnataka had suzerainty over Umbergaon.

Mr. Deputy-Speaker: He is creating apprehensions now.

Shri Basappa: Nobody would do that. It may be interesting to know that the first Address given by the Governor of Bombay was written in Kannada language and if they wanted, they can go and see it. On that account, I am not claiming Bombay to Karnataka.

Sir, the Pataskar Formula, as it is known, is no formula at all. It is a misnomer to call it Pataskar Formula. It is a formula based on agreement between Shri Kamaraja Nadar and Shri Sanjiva Reddi, and it should be rather called "Chief Ministers' Formula", and not Pataskar Formula. We could not apply it even in the case of the Andhra-Madras Bill because all the relevant maps could not be produced here, and we were guided there more by the agreement of Shri Kamaraja Nadar and Shri Sanjiva Reddi than by the Pataskar Formula. Even when Shri Pataskar himself was asked to apply his formula to Mysore and Madras he could not apply it because Madras could not agree to it—I am referring to Hosur. It was also not applied here in the case of Maharashtra and Gujarat. From this, Sir, you can see the feelings of the people there.

I do not know whether I am right in referring to one of the statements made by Shri Chavan in the State Assembly. When questions were put to him pointing out that he was applying one formula in one case and another formula in another case, he

[Shri Basappa]

seems to have given an impression that between Gujarat and Bombay the whole question of splitting up of a bilingual State has to be taken into consideration whereas in other cases only a border question is taken up.

An Hon. Member: Again Mysore question.

Mr. Deputy-Speaker: The hon. Member made an enquiry from me. He was doubtful whether he was right or wrong. I may tell him that he was wrong in referring to that.

Shri Basappa: It was a statement made in the Assembly—I leave it at that.

Now, I have great respect for Dr. Aney. He speaks of linguism, how it has entered into our vitals and spoiled us; but it is too late in the day either for Shri Tyagi or for Dr. Aney to come and say that the whole States reorganisation is wrong. We have to make the best of a bad bargain. After all, only linguistic principles have not been considered in the creation of linguistic provinces, other principles have been taken into consideration. In the past States were classified as Part A, Part B and Part C States. The least we can do was to bring about a certain form of uniformity among all the States, and the backward areas are being developed after we passed the States Reorganisation Bill.

In the end, Sir, we have been asked to forgive and forget. Unless we do that there is no salvation for us. My hon. friends on the other side, spoiling the whole atmosphere, wanted to refer to firing and all that. That is very bad. They were feeling as if they were the victors and the others were the vanquished. Our Indian philosophy is something great. Who is the victor and who is the vanquished?

An hon. Member: Why don't you practise it?

Shri Basappa: After all, we have to consider what posterity is going to judge of us. Posterity is going to judge us not from the point of view of who is the victor and who is the vanquished, but from the point of view whether we have played the game well or not. Therefore, I would request hon. Members on the opposite side to play this game well, and as responsible Members of this Parliament, which is the sovereign body in this vast country, see that development of this country takes place step by step and progress is made in all States.

Some Hon. Members rose—

Mr. Deputy-Speaker: Shri Khadiwala—if he does not refer to Madhya Pradesh.

श्री खादीवालाला : उपध्यक्ष महोदय, तीन वर्षों के बाद हम यह विचार कर रहे हैं कि एक प्रदेश के दो प्रदेश बनाये जायें। सोचना यह है कि जितने भी नये प्रदेश बने उन प्रदेशों में धीरे-धीरे जो प्रदेश पहले में चल रहे थे उन में, उनकी चाल में, कितनी गति घाई है धीरे-धीरे जनता के हित की दृष्टि से वे कितने ज्यादा अच्छे चल रहे हैं। यह मुख्य बात है। जो बम्बई का एक प्रदेश बना था वहां के रहने वाले गुजरात धीरे-धीरे महाराष्ट्र के लोगों ने पिछले समय में क्या उन्नति की, धीरे-धीरे क्या इसी लिये आज यह विचार करना पड़ा कि उस प्रदेश को दो प्रदेशों में बांटा जाये कि वे दोनों एक साथ नहीं चल सकते थे? मैं कहना चाहता हूँ कि जो मध्य प्रदेश बना उस मध्य प्रदेश में तो कई प्रदेश मिलाये गये धीरे-धीरे वह प्रदेश ज्यादातर देशी रियासतों में ही बना। जब आज यह सवाल हमारे सामने विचार के लिये आया तो मुझे कहना पड़ता है कि कई इस प्रकार की डिफिकल्टीज शासन के चलाने में जिस प्रदेश में भी आती हों, हमारे लिये उन पर विचार करना बहुत जरूरी है।

क्योंकि सबाल हमारे सामने यह है कि जो भी प्रदेश बने उसके बनने के बाद वहां पर एक सूत्रता, एकता, एक कायदे और कानून का रूप अभी तक नहीं आ सका है इस लिये वहां पर हर बात में कई मुश्किलात आती हैं ।

उपाध्यक्ष महोदय : अब मेम्बर साहब दूसरे सबाल पर चले जा रहे हैं । मैंने उनकी रोका भी था, स्पीकर साहब ने भी कह दिया है कि दूसरे सूबों का झगड़ा नहीं उठाया जायेगा । इसलिये मेम्बर साहब के लिये और मेरे लिये भी यह पाबन्दी आती है । और वे इस में न जायें ।

सरदार प्र० सि० सहगल : उपाध्यक्ष महोदय, माननीय सदस्य अगर कुछ बोलना चाहते हैं तो मुझको भी उसकी इजाजत दी जाये ।

Mr. Deputy-Speaker: Order, order. What is this interference? If one Member is being allowed, he wants to know whether he would be allowed or not.

श्री लादीबाला : मैं यह बात मानता हूँ कि यह सबाल बम्बई प्रदेश का है । लेकिन जो सबाल आज हमारे सामने आ खड़ा हुआ है वह एक बहुत बड़ा सबाल है और इसी लिये मैंने यहां पर आपने प्रदेश की बात कही । लेकिन जब आपने हुक्म दे दिया है तो मैं ज्यादा न कहते हुये यही कहना चाहता हूँ कि जो कुछ बम्बई प्रदेश में हुआ वह मूरत किसी और प्रदेश में न आये । इसीलिये मैंने यह

उपाध्यक्ष महोदय : इस लिये क्या बम्बई को तकसीम न किया जाये ?

श्री लादीबाला : नहीं, जरूर किया जाये । मैं तो कहता हूँ कि जहां के भी लोग जो कुछ कहें उसके ऊपर जरूर विचार किया जाये । मेरा वह कहना नहीं कि बम्बई का विभाजन न किया जाये । जो निर्णय किया गया है मैं

उसका स्वागत करता हूँ । छोटे छोटे प्रदेश जितने अच्छे चल सकते हैं उतने अच्छे बड़े प्रदेश नहीं चल सकते । जो बड़े प्रदेश चल रहे थे उनके सम्बन्ध में यह अनुभव हुआ है कि बड़े प्रदेश के बनने के बाद कई मुसीबतें हमारे सामने प्रदेश को चलाने में आई हैं, और उन्हीं का नतीजा है कि आज एक बम्बई प्रदेश के दो प्रदेश बनाये जा रहे हैं । आप ने जब मुझे मना कर दिया है तब मुझे और कुछ नहीं कहना है । आप से केवल इतना ही कहना है कि यदि इस पर विचार किया जा रहा है तो दूसरे प्रदेशों में ऐसी नीबत आये, इसके पहले ही हमें दूसरे प्रदेशों के लिये सोचना चाहिये ।

Some hon. Members rose—

Mr. Deputy-Speaker: Ch. Ranbir Singh—not about Punjab.

श्री० रणबीर सिंह (रोहतक) : उपाध्यक्ष महोदय, मैं बम्बई की ही बात कहूंगा । मैं दूसरे सूबे का प्रश्न, पंजाब सूबे का या हरियाना का बीच में नहीं लाऊंगा ।

मैं इस विधेयक को पवर समिति के सुपुर्द करने की तार्दी करता हूँ, लेकिन ऐसा कहते हुये यह कहे बगैर नहीं रह सकता कि अभी जो कुछ भी बजराल सिंह जी ने कहा, वह एक सबक हमारे सीधे के नायक है कि जिस देश के अन्दर प्रजातंत्रवाद की हुकमत हो और प्रजातंत्र की पढ़ाई मानी गई हो वहां पर बड़े बड़े गत्याग्रह या बड़े बड़े नडाई अगड़े करना सही नहीं है, चाहे वह महागुजरान समिति हो । या महाराष्ट्र समिति हो और वृत्त भाइयों ने कहा कि यहां इस देश के अन्दर कुछ दोस्तों ने बम्बई सूबे को बनाने के लिये कुर्बानियां कीं । मैं उन लोगों के साथ हमदर्दी रखता हूँ जिनकी इस देश में किसी वजह से, कुछ लोगों के बहकावे में घाने से, इस बीच के सिधे जानें गई ।

श्री प्र० सिंह बीलता (झज्जर) : वह आप की गोलियों में गई ।

श्री० रणवीर सिंह : वही मैं बतलाना चाहता हूँ । मेरे साथी के नेता ने जो बात कही थी वह उसे भूल गये । मैं वही बात दोहरा रहा हूँ । यों तो सद्भावना के साथ एक फार्मूला तय हुआ था और उस में उस वक्त कम से कम इस सदन के जितने सदस्य थे वे शामिल थे । यह बद किस्मती हो सकती है कि डांगे साहब पिछले एलेक्शन में हार गये और वे यहां पर अपनी राय न दे सके लेकिन इसमें तो उनके एलेक्टोरेट का ही कुसूर हो सकता है, इस सदन का तो कोई कुसूर नहीं था ।

मैं कहना चाहता हूँ कि मझे खरी है कि श्री बजरंग सिंह जी की तरफ से, जो कि हमारी खिलाफ पार्टी के मेम्बर है, यह सुझाव आया । मैं खुद भी वही बात कहना चाहता था जो कि उन्होंने सही तौर पर यहां कहा । लेकिन मुझे ताज्जुब है कि जब खांडा या गग्ने की कीमत का सवाल आता है तो वे भूल जाते हैं इस चीज को कि सत्याग्रह को इस चीज के लिये भी चलाना आवश्यक नहीं है क्योंकि इस सदन के अन्दर जब वक्त आया तो गग्ने की कीमत बढ़ी भी और घटी भी और जैसा भी वक्त आये उसके मुताबिक फैसला हो सकता है । फैसलों को बदलने के लिये सत्याग्रह करना या गोली चलवाना, लोगों में जोश पैदा करना ठीक नहीं है । जब मेरे साथी यह कहते हैं कि बम्बई में जो दूसरे भाई बसते हैं उनके संरक्षण का सवाल क्यों पैदा हो, तो वे इस चीज को भूल जाते हैं । कौन नहीं जानता कि बम्बई के अन्दर कुछ साल पहले क्या हालत हुई थी और जिन भाईयों के हाथों में राजतंत्र को चलाने की जिम्मेदारी है वे कैसे इन बातों को भूल सकते हैं ।

गोरे साहब ने कहा कि जहाँ तक गुजरात के घाटे का ताल्लुक है, उन्हें कोई गिला नहीं

अगर सेन्ट्रल गवर्नमेंट वह घाटा पूरा करे । लेकिन वे भूल जाते हैं कि बम्बई शहर में, जिसको पहले एक अलाहदा रियासत बनाने का फैसला इस सदन ने तकरीबन कर लिया था, २५ करोड़ रुपये का सर्प्लस पाया जाता है ।

श्री पु० र० पटेल (मेहसाना) : २७ करोड़ का ।

श्री० रणवीर सिंह : जैसा कि पटेल साहब कहते हैं २७ करोड़ रुपये का सर्प्लस पाया जाता है । अगर उस सर्प्लस को बम्बई वाले और महाराष्ट्र वाले भाई रखना चाहते हैं तो उनको मुबारक हो, लेकिन गुजरात वाले भाईयों को जो घाटा है उस को देश के दूसरे हिस्से क्यों बर्दाश्त करे ? अगर वे बम्बई को सेंट्रली ऐडमिनिस्ट्रेंट एरिया बनाना चाहें, केन्द्रीय सरकार के नीचे लाना चाहें तो मैं समझता हूँ कि पन्त जी को इस में कोई एतराज नहीं होगा कि गुजरात का घाटा सेन्ट्रल गवर्नमेंट पूरा करे ।

इस के अलावा त्यागी जी ने एक बात कही थी और मैं उसकी तरफ आपका ध्यान दिलाना चाहता हूँ कि भाषावार सूबों के नाम से इस देश की एकता में बाधा पड़ने का डर है, और यह बात सही है । अगर इस डर का हमें मुकाबला करना है तो मैं चाहता था कि इस के लिये त्यागी जी कोई सुझाव रखते, लेकिन उन्होंने तो उल्टा दूसरी तरह से कुछ "न" कह कर पंजाबी सूबे और हरियाना बनाने की तरफ इशारा किया । मैं सुझाव देना चाहता हूँ कि चाहे कुछ हो, इस देश के अन्दर लोगों को इकट्ठा रखने के लिये अगर किसी चीज की आवश्यकता है, जिसको हमें बढ़ावा देना चाहिये, तो वह हमारी राष्ट्र भाषा हिन्दी है ।

हिन्दी के सरकारी प्रशासन में अधिक-धिक प्रयोग व व्यवहार के लिये होम मिनिस्ट्री को ज्यादा से ज्यादा रुपया खर्च

करना चाहिये। हिन्दी रूपी मंत्र को अपना कर हम अपने देश की एकता को बनाये रख सकते हैं। यह हिन्दी ही देश को एकता के सूत्र में जकड़े हुये रख सकती है और इस लिये सरकार का यह कर्तव्य हो जाता है कि हिन्दी को हर तरह से बढ़ावा दे। आज भी हमारे प्रशासन में ऐसे भाई० नी० एस० और भाई० ए० एस० के भ्रष्टारान और हम में से सदस्य हैं जो कि हिन्दी भाषा नहीं जानते हैं और यह खेद का विषय है कि वह उसकी प्रगति के रास्ते में रोड़ा बनना चाहते हैं। इस लिये उनको हिन्दी पढ़ाने के लिये अगर होम मिनिस्ट्री ३ या ४ करोड़ रुपया खर्च करेगी तो वह देश की एकता को बनाये रखेगी। और एकता की जंजीर को मजबूत करेगा।

15 hrs.

Shri G. B. Pant: Sir, I have listened to the speeches that have been made since I commended this Bill to the House for its consideration with undivided attention. I do not think it is necessary for me to deal with the points on which some sort of controversy had developed during this debate. I only wish that those points had been put forward with greater restraint and sobriety. I had appealed to the House for approaching this question in the spirit in which a settlement had been reached between the leaders of Maharashtra and Gujarat.

This Bill, as I had also stated at the outset, was based on the settlement and the agreement between these leaders and as such it deserves the courtesy of a favourable reception from the Members of this House. Still, some of the hon. Members cannot agree with the agreed terms of this arrangement. The Bill was however not only based on the agreed settlement but it had also been virtually accepted by the entire legislature of Bombay, by both the Houses.

There had been some amendments, but two of the amendments which

were of a major character have been left for the advice of the Joint Committee and that is for the House to accept. The other amendments are of a minor character. They do not at all affect or touch any of those issues which had been the subject of controversy in this House. So, when the Bill, whether in the lower House or in the upper House of the Bombay legislature, was put to vote, my information is that it was passed without any dissentient voice. I do not say that it should debar any Member of this House from the expression of his views about this Bill, but when we are told that we do not follow any principle, that we do not pay any heed to the tenets of democracy, I am somewhat amazed, because we have tried to keep our eyes and our ears and our windows open throughout. We have never refrained from doing what according to our humble lights appeared to us to be desirable in the interests of the millions of people living in the country. There is no question of prestige. This Government does not stand on prestige, and it would never hesitate to own a mistake and to revise an opinion if it found that the opinion was not or has not been proved to be as sound as expected. I had stated when this bilingual scheme was placed before this House that I am happy that this solution has been found. The proceedings are there and they can testify to what I then said. But even then I said, I am not so much interested in an ideal solution as in an agreed solution. I had even then emphasised that I myself thought that however satisfactory in theory an arrangement may be, if it was not acceptable to the parties concerned or if it did not satisfy them or did not prove acceptable to them, then I personally would not be satisfied myself. I would depend more on the goodwill of the people, on the development of the spirit of emotional integration and fellowship, on their treating each other as brothers and fellow citizens of a great country than on anyone getting a few more villages on this

[Shri G. B. Pant]

side or on that side. That is not what I am saying today. That is what I had said then.

I am in a way gratified that this Bill has been placed before this House. In fact, it is an embodiment, as I said yesterday, of the spirit of accommodation, goodwill and desire to help each other and to maintain the best standards of family-life. It is these principles which had been embodied in the Bill.

So far as the minor points of difference are concerned, the question is whether there is any principle involved in them. Shri Dange, for example, agreed that the deficit of Gujarat should be made good; but for how long, about that he said, there has been no arrangement. According to him that it had been agreed that the deficit would be made good, but other details had not been settled. When they did not settle the details, the burden fell on us of giving effect to the principle which had been accepted by them. He also said that part of the Umbergaon should go to Gujarat, but some more villages had gone to Gujarat than he thinks was Gujarat's due. I do not know if that is a question of principle. If there are more villages, it is open to the two to examine the position and to see whether one village can be shifted from one side to the other.

Then about the Ukai project, he said, the project has not yet come into existence, but that if it does come into existence, then the areas that are to be submerged should go to Gujarat. Again, the principle stands accepted. The project had been accepted, and we are told that already a start has been made. So, the condition has been fulfilled to a large extent. So, I do not see where on principle, we have deviated from the high pedestal from which he has been preaching to us.

There were one or two remarks which he made and which seemed to

me to be rather unfortunate. He said that Parliament had been dictated by money bags, or something like that, in making this arrangement of a bilingual State. The Deputy-Speaker thought that that was not perhaps a very appropriate expression. Then he said, the policy-makers had been dictated. Who were the policy-makers in this case? The proposal for this was made, for a bilingual State of Bombay exclusive of Vidarbha, by the States Reorganisation Commission, by three independent impartial people, by a body of independent and eminent men, presided over by a Judge of the Supreme Court. I do not know if money dictated them in their decisions.

Then I also said, and everybody in this House knows, as I reminded them yesterday, that a letter was sent to the Prime Minister by 180 Members of this House, asking him to agree to the formation of a bilingual State. The motion was made here by independent Members, not belonging to the Congress Party, but belonging perhaps, some, to the parties which were in alliance with Samyukta Maharashtra Samiti or some others. That proposal was accepted virtually unanimously by the House. I do not know how money dictated those who sent that letter to the Prime Minister or those who made the motion in this House or those four hundred and odd Members—I do not remember exact the number—who supported this motion. So, I think he was rather a bit harsh. I cannot use very strong language. So, harsh is the limit to which I can go.

Then, he reminded us that we must remember that we are not infallible. When did we claim that? That has been the claim of his and his party, that they are infallible and that they stand by principles, that they stand by democracy and that we others are the disruptive force in this country, who want to break up democracy and who want to do things will harm the cause of the country.

Not only that. He referred to the tragic incidents that happened in Bombay and Ahmedabad and said that he wanted people to forget them. The best way, according to him, to forget is to remind people about it. That is the method of burying the hatchet by applying it to the neck. Not only that. He went further in that connection and he made two other remarks. He said—I would not like to repeat it here and I do not like anybody to repeat it here or outside the House—that the Home Minister had killed a number of persons in Ahmedabad and Bombay. He knows, I think, that in the course of a few weeks there were ten occasions when the Kerala police had to have recourse to firing when 17 persons were killed, a number of persons were injured, there were about 200 lathi charges and a very large number were hurt. Would I say that the Home Minister and the Chief Minister there had killed and injured these people? Would it be fair for me to say so?

Shri S. A. Dange (Bombay City—Central): You can.

Shri G. B. Pant: Well, I would not even, if you give me that lesson.

Shri S. A. Dange: You have already said that. The Congress President has also said it.

Shri G. B. Pant: Well, the Communist Government appointed a committee presided over by Shri N. C. Chatterjee, and that committee practically disapproved of the policy that the Communist Government had followed there. I think, so far as this question goes, this answer should satisfy.

Then, what was particularly, I think, somewhat.....

Shri S. A. Dange: Do you justify the massacre in Bombay by pointing to firing in Kerala?

Shri G. B. Pant: I will go into the details of what happened in Bombay. I have got them with me.

Shri S. A. Dange: There was no enquiry.

Shri G. B. Pant: Well, I want people to forget those things and I do not want to remind them.

Shri S. A. Dange: Kerala had an enquiry committee.

Shri G. B. Pant: Kerala had never an enquiry. Kerala said: we will not have an enquiry. Kerala even said that an enquiry is not needed; that when in a peoples' movement men are killed, there is no need for any enquiry.

Shrimati Renu Chakravartty (Basirhat): They never said it.

Shri G. B. Pant: They refused to have an enquiry. They did not hold an enquiry, so far as the people killed in the course of that movement are concerned.

Shri Tangamani (Madurai): Why do you not have an enquiry in Bombay?

Shri G. B. Pant: Once there was an idea that there should be no firings. There was once a claim like that by the Communist Party that once any policeman fires in a State then the Government and the party in power should resign. Well, they have had some lessons on that. Then they said there should be a judicial enquiry always. But when it came to a firing in their own State, they said, "No judicial enquiry".

Shrimati Renu Chakravartty: There was an enquiry.

Shri S. A. Dange: We never said "No judicial enquiry".

Shri G. B. Pant: Well, if the members from Kerala State did not say it, I can only regret that their memories are so short. It is true in one or two cases in which, I think the workmen were fired upon, who belonged to the Communist Party, or who belonged to a union which was under the

[Shri G. B. Pant]

influence of the Communist Party, an enquiry was held, and the judge among many other things in that but he said that the firing was justified. Even the Government and their members, some of them, had stated in advance that the firing was wrong and they even transferred some of the policemen there, because they thought it was a peoples' movement and when people do anything then the police should not move its finger. But what happened later on? They said they will not have any enquiry.

But there is one thing more that I should say. While referring to Bombay and Ahmedabad, about the incidents that happened there shall not refer to those incidents, as I said—he referred to South Africa and said that in South Africa these things are mentioned. We had a resolution on that the other day. There the men that were killed belonged to a different colour and race, but here those who were killed belonged to the same race and the same colour, and, therefore, in his view, it was an internal problem to which he would extend his indulgence and not take it further.

Shri S. A. Dange: Will you please allow me to offer a personal explanation? I myself never raised the question of South Africa. Somebody else referred to it....

Mr. Deputy-Speaker: Yes, Shri S. M. Banerjee interjected.

Shri S. A. Dange: And in fact I said these firings cannot be compared with those in South Africa and that Government of South Africa is not justified in referring to these incidents and comparing them with theirs. I do not know how the Home Minister got the impression.....

Shri G. B. Pant: I think there are clever ways of saying things.

Shri Tangamani: You are trying to be too clever. (Interruptions).

Shri G. B. Pant: I want to deal with things plainly. There was a reference to South Africa and it was with reference to these things. So, I would not like to say much on this. In South Africa all this was done because some people have refused to show their passes. Here, I do not know if I should at all recall what happened in 1942, or thereafter at Telengana and other places, when 1,100 persons were killed in cold blood.

Shrimati Renu Chakravartty: How many people were killed?

Shri G. B. Pant: There are books published by the Government of India covering 1949 to 1951. In South Africa all this was done because passes were not shown and here our democratic spirit is developed to such an extent that we have the pleasure of having Shri Dange and his colleagues here.

Shri Narayanankutty Menon: What a grace it is!

Shri G. B. Pant: We are grateful to them for their taking part in the proceedings of this House. We want their assistance, as of everybody else, but let us be a little charitable and not think that we are incapable of doing right things. While we are anxious to have the co-operation of everyone here, we have been standing steadfast on certain principles, and it is because we have been adhering to certain principles that we have been able to succeed so far, though the main brunt has throughout been borne by our leader, the Prime Minister. But if there were no principles to guide him, even he would not have succeeded. But the party to which Shri Dange belongs has never erred on such things and stuck always to one principle. Well, it is for him to read the history of the last twenty years, of the Communist Party in this country or any other countries, and then say whether we have stood by certain principles or they.

Then he also stated that it is just possible that we are afraid that the next Government in Maharashtra may not belong to the Congress, but that it may belong to some other party. I have my sympathies with him because there is hardly any chance of his getting control of the Government in Maharashtra. Even those who had been together with him did not agree. I saw yesterday that, of Shri Dange, Shri Goray and Shri Indulal Yajnik. Shri Indulal Yajnik contradicted everything that came from Shri Dange. And they had been friends in this struggle against us! Then Shri Goray said, "We have had enough of this experience and now we cannot get on together." So those who have tried their company have reached the conclusions already.... (Interruption) and that the net can be cast further is, I think, a view hope.

Shri S. A. Dange: Take the Muslim League also.

Shri G. B. Pant: But I have rather taken too long over this. There was some statement made by Shri Valvi—whether he is here or he has gone I do not know.....

An hon. Member: He has gone.

Another Hon. Member: He is here.

Shri G. B. Pant: He is here. Shri Valvi gave a representation to the nine-man committee in which it was suggested by him and several other people that all these six talukas of Khandesh—not only the little land that was there—Shahada, Akrani, Akkaikuwa, Taloda, Nawapur and Nandurkar should be transferred to Gujarat, and that they should not remain in Maharashtra.

Shri Valvi: You did not allow me to lead evidence before the nine-man committee and that proposal was rejected.

Shri G. B. Pant: I do not know that oral evidence is of greater weight than written one. I have got his represen-

tation here. It bears his signature along with that of others. But I can tell him that I am interested in the Adivasis more than he himself is. I quite agree with him that their interests should be safeguarded, to whichever State they may be allotted. Also, if any land of theirs is acquired for the Ukai project or for anything else, then that land may be acquired but they should be rehabilitated and all their needs and requirements should be fully attended to. That should be the first condition of acquisition of land from the Adivasis or from anybody else.

So far as other minor things go, they can be discussed later and they will all be going to the Joint Committee. Even so far as the controversial issue go, I have not attempted to make any remarks about them for it will be for the Joint Committee to consider them and the House will have another opportunity also of looking into them. But some reference was made to the Finance Commission and also to the separation of Madras from Andhra. Madras and Andhra were both deficit States. Madras had deficit of more than Rs. 5 crores, I think, when it separated and Andhra had a deficit of about Rs. 3 crores. Of course, beggars cannot give charities to others. They had to be fed by the Centre and the Centre advanced loans to them, when they separated. So that analogy would not apply here. I only wanted to remove the misapprehension.

There was also a reference made to the Finance Commission. The Finance Commission will take into account the condition as it will be existing at that time and after taking that into account it will make such arrangements as it considers necessary. We are not tying the hands of the Finance Commission. The arrangements that we have made have been reached with the consent of the parties and the principles—at least some—have been accepted by even the Samyukta Maharashtra Samiti and the Maha Gujarat Parishad. We have based

[Shri G. B. Pant]

these details on accepted and agreed principles. However unprincipled we might be thought of, I think they were principled enough to have evolved principles on which we can act. So we have been guided by their principles.

I do not think I should say more about it. I only wish that these matters may be examined in the Joint Committee with due regard to what has happened and also with due regard to what the legislature of Bombay has itself decided.

Mr. Deputy-Speaker: The question is:

"That the Bill to provide for the reorganisation of the State of Bombay and for matters connected therewith be referred to a Joint Committee of the Houses consisting of 45 members; 30 from this House, namely, Shri Shripad Amrit Dange, Shri B. N. Datar, Shri Bhaurao Krishnarao Gaikwad, Shri Maneklal Maganlal Gandhi, Shri Narayan Ganesh Goray, Shri Arun Chandra Guha, Shri R. M. Hajarnavis, Shri H. C. Heda, Shri Ajit Prasad Jain, Shri Gulabrao Keshavrao Jedhe, Dr. Gopalrao Khedkar, Shri Bhawanji A. Khimji, Shri Balvantray Gopaljee Mehta, Shri Narendrabhai Nathwani, Shri Ghanshyamlal Oza, Shri Shamrao Vishnu Parulekar, Kumari Maniben Vallabhbhai Patel, Shri Nanubhai Nichhabhai Patel, Shri Purushottamdas R. Patel, Shri Uttamrao L. Patil, Shri Shivram Rango Rane, Shri Ajit Singh Sarhadi, Shri M. Shankaraiya, Shri Vidya Charan Shukla, Shri Digvijaya Narain Singh, Shri M. S. Sugandhi, Shri N. R. M. Swamy, Swami Ramananda Tirtha, Shri Balkrishna Wansik and Shri Indulal Kanaiyalal Yajnik.

and 15 members from Rajya Sabha;

that in order to constitute a sitting of the Joint Committee the

quorum shall be one-third of the total number of members of the Joint Committee;

that the Committee shall make a report to this House by the 14th April, 1960;

that in other respects the Rules of Procedure of this House relating to Parliamentary Committees will apply with such variations and modifications as the Speaker may make; and

that this House recommends to Rajya Sabha that Rajya Sabha do join the said Joint Committee and communicate to this House the names of members to be appointed by Rajya Sabha to the Joint Committee."

The motion was adopted.

15-32 hrs.

COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS

SIXTY-FIRST REPORT

Sardar A. S. Saigal (Janjgir): Sir, I beg to move:

That this House agrees with the Sixty-first Report of the Committee on Private Members' Bills and Resolutions presented to the House on the 30th March, 1960.

Mr. Deputy-Speaker: The question is:

"That this House agrees with the Sixty-first Report of the Committee on Private Members' Bills and Resolutions presented to the House on the 30th March, 1960."

The motion was adopted.

Mr. Deputy-Speaker: Now Bills to be introduced. Shri Pocker Sahib. Absent. Shri B. Das Gupta.

CONTEMPT OF COURT BILL*

Shri B. Das Gupta (Purulia): Sir, I beg to move for leave to introduce a Bill to consolidate and amend the Law relating to the contempt of court.

Mr. Deputy-Speaker: The question is:

"That leave be granted to introduce a Bill to consolidate and amend the Law relating to the contempt of court."

The motion was adopted.

Shri B. Das Gupta: Sir, I introduce the Bill.

15 33 hrs.

REPRESENTATION OF THE
PEOPLE (AMENDMENT)
BILL—Contd.

(Amendment of section 73)

Mr. Deputy-Speaker: The House will now resume further discussion of the motion moved by Shri Hem Raj on the 18th March, 1960 that the Bill further to amend the Representation of the People Act, 1951 be taken into consideration.

Out of 1½ hours allotted for the discussion of the Bill 8 minutes have already been taken up on the 18th March 1960 and 1 hour and 22 minutes are now available.

Shri Hem Raj may now continue his speech.

Shri Hem Raj (Kangra): Mr. Deputy-Speaker Sir last time I was submitting before this hon. House that those hon. Members who are representing Himachal Pradesh and Punjab Kangra constituency in this House and two members of the Punjab Legislative Assembly were deprived of voting for the election of the President and the Vice-President. Then I told this House that this was a valuable right of which they have been deprived. Had it been a passing phase, we would not have cared for

it. But as the Election Commission says, the elections in these constituencies are going to take place when the elections in other constituencies will be finished, and it is going to be a permanent feature..... (Interruption).

Mr. Deputy-Speaker: I presume those who wanted to go out have gone away. Now there ought to be silence here except on the part of the hon. Member who is speaking.

Shri Hem Raj: I was submitting that this was going to become a permanent feature. This is what the Election Commission has remarked in its report on the Second General Elections. It says:

"On the date of the poll for the Presidential election, the parliamentary constituencies in the Himachal Pradesh and Kangra parliamentary constituency in Punjab were still snow-bound in part and had not been able to complete the election of their members to the House of the People. For the same reason the Kulu Assembly constituency of Punjab has not been able to elect its members to the Punjab Legislative Assembly. Although these constituencies had been called upon to elect the members along with other constituencies in the rest of the country, the poll had to be postponed by the Election Commission in these constituencies until the snow merged and poll became practical. Accordingly, the poll was yet to be held in these constituencies when the Presidential election took place. As a result, these constituencies were deprived of the right and privilege of participating in the election of the President. If the election of the Vice President had been contested, they would have been denied an opportunity of participating in that election as well."

*Published in the Gazette of India Extraordinary Part II--Section 2 dated 1-4-1960.

[Shri Hem Raj]

It further says:

"The climatic conditions which necessitated the postponement of the poll in the snow-bound constituencies will create the same difficulty on future occasions as well. There is, therefore, hardly any prospect of these constituencies completing their elections along with the rest of the country in any future General Elections."

The Constitution gives equal rights to all the citizens of the country and it holds that all the citizens are equal before the law and they are equally entitled to the protection of law. But what is happening here is that we are being denied of a fundamental right of ours, a constitutional right of ours. Therefore, I say that this right which is a constitutional right, which is a legal right, which is fundamental right of these members who represent their constituencies should be given to them. They should be given this right to vote for the election of the President and the Vice President.

There is one thing more. For the present it is only a question of six constituencies which I have just mentioned. But supposing in future in the Kashmir—when the Election Commission's jurisdiction is extended to that area—elections take place, then the same thing will happen there so far as the areas of Ladakh, Kistwar and Bhadrwaha are concerned. Similarly those members also will be deprived of this right for all times to come.

This is about the right of vote for the election of the President and the Vice President. But about the hon. office of the Deputy-Speakership—that you are holding, Sir—and the office of the Speakership also we are always being deprived of a right to vote. So, my humble submission before the House is that we should be granted that right which the Constitution has granted to us and it should not be snatched away from us.

My second point is about the electoral college. The Article 54 of the Constitution says: "The President shall be elected by the elected members of the Lok Sabha and of the Legislative Assemblies." My contention is that at the time when the Presidential election took place, the House of the people was not complete because the election in these constituencies—one double member constituency of the Punjab, and three constituencies of the Himachal Pradesh—had not been completed due to the reasons which I mentioned earlier. The elections there were completed either in the month of June or in the month of July. Consequently these members were deprived of the right to vote in the election of the President. So, I say, according to the Article 54 of the Constitution, when the House was not complete it was not competent to elect the President. But it was defended on the ground that a certain provision had been made under section 73 of the Representation of People's Act by which though the elections in certain constituencies are not completed, even then the House shall be deemed to be complete though it is ^{not} complete in fact.

My contention is that the right which has been given under the Constitution cannot be snatched away from us. Moreover, regarding this very question a debate took place in this House when the last Parliament was going to adjourn sine die. At that time also it was contended that because the elections were not going to be completed by the time when the President's election was to take place, the House cannot be deemed to be complete. In that debate your good-self also took some part and you, Sir, also expressed some doubts whether the House could be deemed to be complete unless and until all the members are elected and returned and take their places in the House.

Again, my contention is that even this section 73 of the Representation of People's Act under which the Government took shelter is rather ultra vires of the Constitution because the Constitution gives us a certain right which cannot be taken away by a certain other Act of the Parliament. So, I humbly submit to this House to see whether a fundamental right which has been given by the Constitution should be taken away from certain citizens of India or whether it should be restored to them.

Under Article 54 of the Constitution it is the elected members of the House of the People and of the legislative assemblies who are competent to vote for the election of the President and the Vice President. Under the Constitution, even the last House was competent to elect the President and the Vice President. But the Government in its own wisdom took a contrary decision and it rather thought it proper that it should be the new House which should elect the President and the Vice President. The Constitution nowhere says that it is the new House which is to elect the President and the Vice President. It only says that the President and the Vice President shall be elected by the elected members of the House of the People and of the Legislative Assemblies.

My third contention is that even if that provision to be taken, even then that right which has been guaranteed to the citizens of India and to the elected members of the House of the People and the Legislative Assemblies cannot be taken away by a certain decision of the Government. In that case also, that right should be restored to us.

Mr. Deputy-Speaker: The Minister of Parliamentary Affairs is really a privileged person, but he also should not be for very long in the passage.

An hon. Member: He should set an example.

36 (A1) L.S.—6.

Shri Hem Raj: Even the Election Commission in its report on the Second General Elections has stated:

"The term of office of the President and the Vice-President was due to expire on the 13th of May, 1957 on the expiry of five years from the date that they assumed office. Articles 62 and 68 of the Constitution require that the elections of the new President and Vice-President must be completed before the expiry of the term of their predecessors. A minimum period of 30 days is required to complete these elections. In order that these elections might be completed in accordance with the provisions of the Constitution, it was necessary to constitute the new House of the People and Legislative Assemblies before end of March, 1957. The Constitution would have, no doubt, permitted the President and the Vice-President to be elected by the Members of the outgoing Houses of legislature. It was generally felt, however, that it would be inappropriate for these Members to elect the President and the Vice-President at the 'tag end' of their terms and that it would be far more desirable and democratic for the Members of the newly elected Houses to elect the new President and the Vice-President. Accordingly, the Commission settled the programme. . . ."

My contention is that the House when it met on 28th March, 1959 was a complete House, though there might have been some vacancies, and therefore it was more competent to elect the President and the Vice-President. Six Members could not be returned in time to the new House after the Second General Elections, and therefore the House could not be deemed to be complete under article 54 of the Constitution. In the circumstances, it becomes all the more necessary that the Members who had been elected to the previous House on the suffrage of the people should be given this right.

[Shri Hem Raj]

Regarding this matter, a writ was filed in the Supreme Court, and there also a doubt was raised whether the election of the President or the Vice-President could take place, but because the petition of Dr. Khare was held to be premature, their Lordships did not express an opinion in that case. I might quote the passage for the information of the House. It was a writ petition of Dr. Khare against the Election Commission of India. Their Lordships observed:

"In so far as the alleged discrimination, if any, i.e. breach of the equal protection clause of the Constitution may be said to be calculated to raise any doubt in connection with the election of the President, it will, at best, be non-compliance with the provisions of the Constitution which may or may not, after the conclusion of the entire election, be made a ground under S. 18 of the Presidential and Vice-Presidential Election Act, 1952, for calling the election in question, as to which we need formulate no final opinion at this stage."

Similarly, in its own report, even the Election Commission has stated this legal position. It says:

"A constitutional doubt was raised as to whether the Presidential election could be legally held before every constituency in the country had elected its Member or Members to the Legislative Assembly or the House of the People. The view was eventually taken that in view of the provisions of Section 73 of the Representation of the People Act, 1951, the failure to complete the elections in the snow-bound constituencies and the resulting existence of vacancies in the House of the People and the Punjab Legislative Assembly on the date of the poll for the "Presidential election did not affect the due constitution of the House of the People or the Punjab Legis-

lative Assembly for purposes of the elections to the offices of the President and of the Vice President. These elections were accordingly held despite the existence of these vacancies."

And the opinion of the Commission is as follows:

"The Commission feels, however, that such a contingency should, if possible, be avoided in the future and the Houses of legislature should be fully constituted before elections are held to these high offices."

Then it has made a suggestion, which is what I have incorporated in my Bill. Every time the House will have already elected the President and the Vice-President by the time the new Members from these constituencies are elected, and so the incoming Members will have no chance to participate in the Presidential and Vice-Presidential elections in future also. Therefore, a certain limited right, should be given to the outgoing Members to participate in the Presidential and Vice-Presidential elections, though they would still be debarred from taking part in the elections of the Speaker and the Deputy-Speaker of this House. I am only asking for a limited right, and it is also supported by the Election Commission.

The Commission has said:

"It is accordingly desirable that the law itself should provide for some better solution of the difficulty than has been provided at present. It may be examined whether provision may be made, for instance, enabling the outgoing Member or Members representing any constituency which has not been able to complete its poll due to unavoidable reasons to vote at the "Presidential and the Vice-Presidential elections as if they continue for this purpose to be duly elected Members of the

respective Houses of legislature notwithstanding the fact that the Houses have been dissolved or have completed their terms. In the Commission's opinion such a solution would be fairer and less anomalous than the present position in which several constituencies are deprived practically permanently of the right and privilege of participating in the elections to these high offices."

Mr. Deputy-Speaker: Out of an hour and a half, the hon. Member has taken more than half an hour.

Shri Hem Raj: I am finishing soon so that other Members may be able to take part and support me.

My suggestion has been supported by the Election Commission also. I only request the Members that the constitutional and legal rights that they are enjoying should be conferred on the Members from these particular constituencies of Himachal Pradesh and Punjab. That right should not be snatched away from us by some Act which, I think, is rather *ultra vires* of the Constitution.

With these words, I commend my Bill for the consideration of this hon. House.

Mr. Deputy-Speaker: Motion moved:

"That the Bill further to amend the Representation of the People Act, 1951, be taken into consideration."

We have 90 minutes for this Bill. About 33 minutes have already been taken by the hon. Mover. May I know how much time the hon. Minister would require?

The Deputy Minister of Law (Shri Hajarnavis): Five minutes.

Mr. Deputy-Speaker: So, I can give ten minutes to each hon. Member who

wants to speak. Shri Raghubir Sahai might begin on this side.

Shri Raghubir Sahai (Budaun): I have no hesitation in saying that I am fully in accord with the spirit of the Bill that has been moved for consideration, by my hon. friend Shri Hem Raj. The position stated by him is that eight elected Members, two to the Punjab Vidhan Sabha, and 6 to the Lok Sabha, returned from Punjab and Himachal Pradesh cannot take part either in the Presidential elections or in the election of the Vice-President, because these elections generally are held in the months of June and July. Last time, they took place in June and July, 1957. Because these areas were snow-clad, therefore, it was not possible to hold those elections earlier, whereas in the case of the other areas, the elections were completed by 31st March, 1957.

15.57 hrs.

[SHRI MULCHAND DUBE in the Chair]

I find that article 54 of the Constitution provides: how the Presidential elections should take place. It is stated therein:

"The President shall be elected by the members of an electoral college consisting of—

- (a) the elected members of both Houses of Parliament; and
- (b) the elected members of the Legislative Assemblies of the States."

I consider that it is an inherent right of the members of the electoral college consisting of the elected Members of both Houses of Parliament and the elected Members of the Legislative Assemblies of the States to take part in the election of the President and the Vice-President, and it would be unjust and illegal on the part of anybody to deprive them of this inherent right. I, for one, feel that these Members of the Punjab Vidhan Sabha

[Shri Raghunir Sahai]

and those Members of the Punjab and Himachal Pradesh, who are elected to Parliament, can as well go to the Supreme Court for the vindication of their rights. My hon. friend Shri Hem Raj has done well in drawing the attention of this House to this position, by bringing forward this reasonable Bill.

The elections in Himachal Pradesh and in some parts of Punjab had to be postponed by the Election Commission because of natural difficulties, and those natural difficulties will take place almost at the time of every election. This means that those Members who are returned from Punjab and Himachal Pradesh would be deprived of this inherent and fundamental right permanently. That is something of which we should take note, and we should do something to satisfy them and to remove this grievance on their part. It is a very reasonable request, and I think the Law Minister would kindly take note of it and do something to relieve them of that anxiety.

It is laid down that the duration of a Member's life in Parliament or in an elected Assembly should be five years, and it would be reasonable to say that he should not be deprived of all his legitimate rights which are to be exercised within that period.

I also find that the term of office of the President is laid down in article 56, which reads thus:

"The President shall hold office for a term of five years from the date on which he enters upon his office....",

and it is also provided that if a President is even elected during the pendency of a term, still, he shall hold office for full five years. So, under the Constitution, the term of an elected Member as well as the President is five years. Therefore, it is all the more necessary that a Member who is elected either to Parliament or to

a Legislative Assembly should not be deprived of exercising his rights during that term.

16 hrs.

Now, if a Member is elected from Himachal Pradesh or from Punjab either to the Vidhan Sabha or to Parliament, under the circumstances which I have narrated earlier and the circumstances which have been very clearly explained by my hon. friend Shri Hem Raj, and he could not exercise his right in the election of the President and the Vice-President just after his election is over, because the elections of the President and the Vice-President take place much earlier. It would be reasonable, to suggest that he should be given the right to take part in the election of the President or Vice President subsequently.

A difficulty could be raised with regard to the provision for dissolution. It may be asked what the position of these Members will be when the Lok Sabha or the Legislative Assembly of a State is dissolved. I would only submit that the proviso which has been suggested by Shri Hem Raj tries to meet that difficulty. It is just to get over it that he has suggested this proviso. In the Proclamation about dissolution, if some such amendment as has been proposed in this Bill is embodied it would meet that difficulty. In the Proclamation, it could be provided that the dissolution would be valid except for those Members who have been returned in the general elections held in the months of June or July, or whatever the period may be.

So, by accepting the amendment suggested in the Bill or some such thing, we shall be in a way satisfying the legitimate aspirations of the people of Himachal Pradesh and Punjab.

I full suport the spirit underlying this Bill.

पंडित ठाकुर दास भार्गव (हिसार) :
जनाब चेयरमैन साहब, मैं ने इस दिन को
पढ़ा और अपने लायक दोस्त की तकरीर
भी सुनी। जिस वक्त यह ऐक्ट मन् १९५१
का सिनेट कमेटी में गया था उस सेनेट
कमेटी का मैं चेयरमैन था। उस वक्त यह
तकलीफ हमारे सामने आयी थी, और इस
तकलीफ का जो हल था उस से यह मालूम
होता था कि यह इलेक्शन भी कैसे हो सकेंगे
उस विषय को दूर करने के बास्ते दफा ७३
की तजवीज की गयी है। दफा ७३ इसलिये
पास किया गया था कि अगर किसी कांस्टी-
ट्यूएंसि का इलेक्शन उस वक्त तक कम्प्लीट
न हो तब भी यह करार नहीं दिया जायेगा
कि हाउस कम्प्लीट नहीं है। बरना इस के
मानी यह होने कि अगर हिन्दुस्तान में किसी
कांस्टीट्यूएंसि का इलेक्शन पूरा न हो तो
उस वक्त तक सारा हिन्दुस्तान का इलेक्शन
कम्प्लीट नहीं हो सकेगा और हाउस कम्प्लीट
नहीं हो सकेगा। इस बास्ते मेरे लायक दोस्त
की यह शिकायत कि इन ६ मेम्बर साहिबान
को अपने हक से महसूस किया गया इस
में भी वक्त है। हम नहीं चाहते कि हिन्दुस्तान
की कोई कांस्टीट्यूएंसि इस बात की शिकायत
कर सके कि उस के इलेक्टोरेल मेम्बर को
ऐसे इम्पारटेंट काम में जैसे स्पीकर या
डिप्टी स्पीकर के इलेक्शन में या राष्ट्रपति
या उपराष्ट्रपति के इलेक्शन में हिस्सा नहीं
दिया गया। हमारे खयाल में अगर मौजूदा
कानून के मुताबिक इलेक्शन दुफ्त भी हो
तब भी मैं समझता हूँ कि यह एक ब्रैक
स्पाट है जिस को हम बरदाश्त नहीं कर
सकते। मैं चाहता हूँ कि हर मेम्बर का हक
बराबर हो, किसी के हक में फर्क नहीं होना
चाहिये। लेकिन जो तजवीज हमारे लायक
दोस्त ने रखी है उस से मुझे इतिफाक नहीं
है। लेकिन मुझे उन के बिल से हमदर्दी है
और मैं चाहता हूँ कि इस का कोई साल्यूशन
नकाला जाय और जो भी मेम्बर किसी भी
कांस्टीट्यूएंसि में इलेक्ट हो कर पाये उस
का हक जायल न किया जाय। एक तजवीज

यह हो सकती थी जोकि मेरे लायक दोस्त ने
रखी है कि हाउस खत्म होने के बाद भी इन
६ मेम्बर साहिबान को मेम्बर ममना जाय
लेकिन यह तजवीज मुझे पसन्द नहीं है
क्योंकि जब सारा हाउस ही खत्म हो जाता
है तो इन मेम्बरों की क्यों एक खास पोजीशन
रखी जाय, जो हक दूसरे मेम्बर नहीं रखने
बल्कि उन को क्यों दिया जाय, इसलिये मेरी
यह तजवीज है, और यह तजवीज प्रिम्डेंट से
भी कबर्न है, कि हमारे इलेक्शन कमिशनर
साहब इन ६ मेम्बरों का इलेक्शन उस वक्त
तक करा लें—मसलन मितम्बर में या
अक्टूबर में करा लें—जिस वक्त कि हमारे
स्पीकर और डिप्टी स्पीकर साहब का या
हमारे राष्ट्रपति या उपराष्ट्रपति जी के
इलेक्शन से पहिले हो, नाकि वह उस इलेक्शन
में हिस्सा ले सकें।

श्री० रणबीर सिंह (रोहतक) : हाउस
के डिजॉल्व होने से पहले उन का इलेक्शन
कैसे हो सकता है ?

पंडित ठाकुर दास भार्गव : प्रायः यहां
कैसे बैठेंगे। हाउस डिजॉल्व हो चुका था
और उस के बाद इलेक्शन हुए और उस के
बाद भी प्रायः यहां प्राये। हमारे यहां इलेक्शन
का रिजल्ट डिक्लेयर हो गया था उस के
बाद भी हम यहां प्राये और हम ने काम
किया। लेकिन हिमाचल का इलेक्शन उस
वक्त नहीं हो सकना था क्योंकि वहां बर्फ
पड़ती थी और वहां का इलेक्शन बहुत पहिले
हुआ। इसलिये मेरी गुजारिश है कि जहां
हिंदी इलाका हो और जहां इस किस्म की
दिक्कतें हों, वहां पहले इलेक्शन कर लिया
जाय ताकि जिनने बोटर है वह धामानी से
प्रा मर्क और सङ्गनियन के साथ इलेक्शन
हो सके। उस वक्त भी जब १९५१ का ऐक्ट
बना हम ने यह बीज बोनी थी लेकिन मुझे
याद नहीं कि क्या जानात थे कि जिन की

[पंडित ठाकुर दास भागवत]

वजह से हम ऐसा नहीं कर सकते। इस वास्ते दफा ७३ आखिर में पाम की गयी कि कहीं सारे देश का इलेक्शन बन्द न हो जाय। इस-लिये मेरी गुजारिश है ला मिनिस्टर साहब की खिदमत में कि अगर वह श्री हेमराज की तजवीज को पसन्द न करें तो मेरी तजवीज को आल्टरनेटिव की शकल में मंजूर फरमा लें। लेकिन अगर मेरी तजवीज आप को पसन्द न हो तो मैं यह पसन्द करूंगा कि आउट-गोइंग मेम्बर को जो हक श्री हेमराज चाहते हैं वह दे दिया जाय। लेकिन अमूलन यह दुखस्त नहीं है कि आउटगोइंग मेम्बर ऐसा जानवर बनाया जाय जैसाकि सारे हिन्दुस्तान में न हो। मैं चाहता हूं कि सब मेम्बरान का हक बराबर हो। इसलिये इन मेम्बर माहिबान का इलेक्शन पहले हो सकता है, और यह चीज प्रिसिडेंट से कवर्ड है और इस से कोई ऐब नहीं है कि इन का इलेक्शन पहले हो जाय। उस के बाद जनरल इलेक्शन हो सकता है और जब स्पीकर या डिप्टी स्पीकर साहब का या राष्ट्रपति या उपराष्ट्रपति जी का इलेक्शन हो उस वक्त वह दफा ५४ व दूसरे पार्टिकल के मुताबिक अपने हक का इस्तेमाल कर सकें। मेरी गुजारिश है कि मेरी तजवीज को भी एंजामिन कर लिया जाय। अगर यह पीजिबिल हो तो इस को मंजूर कर लिया जाय, क्योंकि प्रसेम्बली काम होने के बाद आउटगोइंग मेम्बर को इस तरह का हक देना मैं पसन्द नहीं करता जैसाकि इस बिल में चाहा गया है। मैं चाहता हूं कि इस चीज पर गौर किया जाय।

मैं इस बिल के प्रिसिपल को सपोर्ट करता हूं, लेकिन जो प्रॉक्टिकल तजवीज दी गयी है उस से मैं मुसफिक नहीं हूं। लेकिन अगर मेरी तजवीज को मंजूर न फरमाया जाय, तो मैं चाहूंगा कि जो तजवीज पेश की गयी है उस को ही मंजूर कर लिया जाय।

Shri Sadhan Gupta (Calcutta-East):
Mr. Chairman, I support only that part

of the Bill, or rather that part of the spirit behind the Bill, which desires to assure the right of vote to representatives of certain constituencies which remain snow-bound during the most-part of the year. It may be that their number is not very large. Only about 8 Members of the Lok Sabha and the Assembly were involved in the last presidential elections, and it may be that if regular elections are held in Kashmir, some more will be involved. Of course, it will not be large, but the question is not what the number of members will be who will be deprived but that any member representing any part of India will continue to be deprived of the right to cast his vote for the election of the President and the Vice President and—I would also add in this connection—of the Speaker and Deputy-Speaker of the Lok Sabha or of the Assemblies to which members are elected from there.

This is as far as I support it, but I do not support the proposition which the hon. Member has advanced for achieving his aims. Before I discuss the merits of it, I want to put in a word about the contentions he has raised that the present arrangement is *ultra vires* the Constitution. The present arrangement is not *ultra vires* the Constitution. Article 54 is not the article of the Constitution in the light of which section 73 of the Representation of the People Act is to be judged. Article 54 only presupposes that certain Members have been elected to the Lok Sabha or to the Assemblies; it does not say anything about the constitution of the House, whether the Houses are properly constituted or not until the election has been completed from every constituency has to be determined with the reference to different provision. The article which is concerned with the due constitution of the Houses of Parliament and of the Assemblies is article 327, and also article 328 with which

we are not concerned at the moment. Article 327 says:

"Subject to the provisions of this Constitution, Parliament may from time to time by law make provision with respect to all matters relating to, or in connection with, elections to either House of Parliament or to the House or either House of the Legislature of a State including the preparation of electoral rolls, the delimitation of constituencies and all other matters necessary for securing the due constitution of such House or Houses".

The power to provide for the due constitution of this House or of the Legislative Assemblies or Legislative Councils of the States is given to Parliament under article 327. Under section 73 of the Representation of the People Act, Parliament has provided that even if the election is not completed, the constitution of the House will not suffer. The House will be duly constituted and I submit there is nothing in the Constitution which renders this section *ultra vires* of it. As a matter of fact, such a provision is necessary because it may happen—it often happens—that all the Members elected may not be present. Accidents may happen; sometimes some Members have died shortly after election and the constitution of the House cannot be held up for that purpose.

Therefore, it is not section 73 which is *ultra vires*. On the other hand, the proposition that Shri Hem Raj has advanced will itself be *ultra vires* because article 54 requires the elected Members of the Lok Sabha and of the Legislative Assemblies to be voters for the election of the President and the Vice-President. Under section 73 of the Representation of the People Act, which I have shown is quite valid, when the new Lok Sabha is constituted, the old Lok Sabha ceases to exist and the old Members of the Lok Sabha are no longer elected Members of the Lok Sabha.

By introducing a proviso to section 73, they cannot be made elected Members of the Lok Sabha, and, therefore, they cannot have the right to vote at the Presidential election. That is as far as the legal aspect is concerned. In the legal aspect it is not section 73 which is *ultra vires* but it is the Bill which will be *ultra vires* if passed into an Act.

But, apart from the legal aspect, the great objection to this particular provision in the Bill is that it seeks to confer a right to vote on persons who may have ceased to be representatives of the constituencies at all. The complaint is that the constituency is not represented. But, it might be that the constituency would be totally misrepresented by the Member who votes because a political shift has taken place and he ceases to represent the views of the electors of that constituency. That will be even more unfortunate.

There is no dilemma in this matter. We are not torn between two unsatisfactory alternatives, namely, either to have former Members voting or not to have any representative of the constituency at all. Pandit Thakur Das Bhargava has suggested a very suitable alternative which can be found. There is nothing in law which requires the members from those parts to be elected at the same time as the other parts of the country are electing their representatives. In view of the special circumstances of those areas, we could easily provide that the elections there can take place earlier before the snow begins to fall and, then, their representatives will be elected before other Members of the Lok Sabha and the Legislative Assemblies in the country are elected.

As a matter of fact, if my memory does not fail me, I think that was the procedure followed in the first General Elections. As far as I remember, the elections from some parts of Himachal Pradesh and some parts of the Kangra and Kulu Valley were completed in

[Shri Sudhan Gupta]

1951, somewhere in September or October, 1951 and, then, in 1952, about March or so, the rest of the country elected their representatives. That can be followed and that will enable the representatives of those constituencies to participate in the election of the President and the Vice-President. That will enable the elected representatives of those constituencies to participate even in the election of the Speaker and the Deputy-Speaker of the House, which the provision Shri Hem Raj has asked for in the Bill will not enable.

The provision which Shri Hem Raj has suggested will give only a partial representation and sometimes may be a distortion of representation to the constituencies concerned. On the other hand, the solution that Pandit Thakur Das Bhargava has suggested will obviate all difficulties. I think, after hearing this debate, Shri Hem Raj will also agree that the solution suggested by Pandit Thakur Das Bhargava is the best solution. I hope the hon. Law Minister will also take note of this opinion expressed in the House and see to it that, in future, the elections from those particular constituencies take place in proper time, whatever the time of the general elections in the rest of the country may be, that the elections from there are held a little earlier before the snow starts falling so that the Members may be elected before the constituencies become impossible.

With these words, I would suggest that Shri Hem Raj may withdraw this Bill and try to persuade the Law Minister to achieve the object of the Bill by persuading the Election Commission to do it by fixing a suitable time-table.

Shri Ajit Singh Sarhadil (Ludhiana): Mr. Chairman, Sir, I congratulate Shri Hem Raj on having brought this Bill to focus the attention of Government as well as the Election Commission on the anomalous position that exists whereby 8 Members of the House are deprived of their right to vote for the election of the President and the Vice-President. But, as the hon. Member

from Calcutta who has preceded me has said, this Bill does not go far enough. Whereas the present amendment brought forward by him, certainly, enables the Members from H.P. and Kangra to vote for the election of the President and Vice-President, they would not be able to participate in the election of the Speaker and the Deputy-Speaker. Therefore, the proposal that has been suggested by hon. Pandit Thakur Das Bhargava and supported by the hon. Member from Calcutta is the one that Government should take into consideration and the Election Commission should act upon.

It is correct that the present amendment incorporates the recommendations of the Election Commission which they gave in their report pertaining to the second election to the Lok Sabha in 1957. But, I am afraid that at that time the Election Commission did not take into consideration the fact that the late elections from H.P. and Kangra deprived those members from participating in the election of the Speaker and the Deputy-Speaker also.

This Bill deals with the fundamental principle as well as general enactment. My hon. friend who preceded me, the hon. Member from Calcutta, has said that section 73 of the Representation of the People Act is *intra vires*. I believe there can be two opinions about it. You find that article 54 definitely postulates that the President shall be elected by the Members of an electoral college consisting of the elected Members of both Houses of Parliament and the elected Members of the Legislative Assemblies of the States. Article 55 lays down the method and the mode of election by giving a vote to each Member in accordance with the principle of proportional representation.

Similarly, in article 66 which deals with the election of the Vice-President, it is said that the election shall be by Members of both Houses and naturally this postulates that there

should be all elected members. Article 93 deals with the election of the Speaker and it says that the House of the People shall, as soon as may be, choose two Members of the House to be respectively Speaker and Deputy-Speaker thereof. The House of the People is not complete as long as all the Members are not there. Now, attention has been drawn to article 327 which says:

"Subject to the provisions of this Constitution, parliament may from time to time by law make provision with respect to all matters relating to, or in connection with, elections to either House of Parliament or to the House or either House of the Legislature of a State including the preparation of electoral rolls, the delimitation of constituencies and all other matters necessary for securing the due constitution of such House or Houses."

This does not in any way override article 54 which precedes. My submission is that so far as section 73 is concerned it lays down that any time it is notified that the House is duly constituted, it becomes a duly constituted House, though certain Members are not there. This question was raised at the time when the debate took place in the First Lok Sabha and it was correctly asked: does it mean that when a notification is issued that it is a duly constituted House of the Lok Sabha when 60 Members are not there and they have not been elected? Would it be a duly constituted House? That is certainly a subtle point. But I need not go into that for it is not relevant. At present, when we are considering how best we can give representation to the Members from H.P. and Kangra, of which they are deprived because of the exigencies of the weather. On this point, there cannot be two opinions. They have got to be given representation. I believe it is a great injustice to deprive them. Every citizen of India is entitled to the highest office. Every citizen has got a right not only to stand for election as a Member but also to

stand for the Speakership or Deputy-Speakership. If these provisions deprive him of that chance it is a great injustice; it deprives him of a fundamental right. I can only plead with the hon. Minister. I believe when he said that he wanted only five minutes, he is going to agree to the principle and will be coming forward with certain provisions accepting this . . .

The Deputy Minister of Food and Agriculture (Shri A. M. Thomas): You will be disillusioned.

Shri Ajit Singh Sarhadi: I do not think I will be disillusioned on this matter. If he brings such a provision, elections can be held early in September, as Pandit Bhargava has said.

With these words, I certainly support Shri Hem Rai and I would submit to the hon. Minister that he should evolve a way out of the situation by which all Members from H.P. and Kangra would be given the right not only to participate in the election of the President and Vice President but also that of the Speaker and the Deputy-Speaker.

श्री मू० चं० जैन (कैथन) : बेयरमैन साहब, जहाँ तक इस बिल के प्रिम्पल का तात्पर्य है, मैं उस की हिमायत करने के लिये खड़ा हुआ हूँ। मैं नहीं समझता कि इस प्रान्तेबल हाउस का कोई भी मुघाजिब मेम्बर इस राय का हो सकता है कि हिमाचल प्रदेश के चार मेम्बरों और कांगड़ा जिले के दो लोक-सभा के मेम्बरों और दो पंजाब विधान सभा के मेम्बरों का जो मौजूदा तरीके की बजह से राय का इम्तेमान करने के हक से डिप्राइव किया गया है, वह हक उन को न मिले। जो कुछ प्रायुमेंट्स मुझ से पहले मेरे बुजुर्ग दोस्त, पंडित ठाकुर दास भार्गव, ने या प्रान्तेबल मेम्बर काम कलकत्ता ने दी हैं, मैं उन को दोहराना नहीं चाहता, लेकिन मैं यह जरूर कहना चाहता हूँ कि जहाँ तक इस बिल का तात्पर्य है, यह कोई उस तकनीक का सही इनाम

[श्री म० च० जैन]

नहीं है। एक तो यह बिल नाकाफी है, क्योंकि इस में इस बात की कोशिश तो की गई है कि हमारे जून श्रीर गुलाई में चुने हुए मेम्बरों को प्रेजिडेंट और वाइस-प्रेजिडेंट के भ्रगले इलेक्शन के लिये मेम्बर तसव्वुर किया जाय, लेकिन इस में इस सवाल का कोई हल पेश नहीं किया गया है कि उन को लोक सभा के स्पीकर और डिप्टी स्पीकर के इलेक्शन में भी राय देने का मौका दिया जाये। नए इलेक्शन के बाद हाउस ग्रैल या मई में मिलता है। अगर इस बिल को एक्सेप्ट भी कर लिया जाये, तो भी स्पीकर और डिप्टी स्पीकर के चुनाव के मामले में हिमाचल प्रदेश और कांगड़ा जिले के दो मेम्बरों को राय देने का कोई हक नहीं मिलता है। इसलिये उन को कुछ तकनीक हल होंगे और कुछ बाकी रहेगी। इसलिये यह बिल नाकाफी है। जैसाकि कलकत्ता के मानरेबल मेम्बर ने कहा है, मैं खुद इस बात को मुनासिब समझता हूँ कि जो मेम्बर अब है, हो सकता है कि हिमाचल प्रदेश उन को भ्रगली दफा इलैक्ट न करे और इसलिये यह उसूल गलत होगा कि हाउस के डिजाल्व होने के बाद भी उन को मेम्बर तसव्वुर कर लिया जाये। इस सवाल का यह सही इलाज नहीं है।

मुझे तो यह गलती इलैक्शन कमोशन की मालूम होती है। मुझे अच्छी तरह से याद है कि १९५२ में हिमाचल प्रदेश का इलैक्शन फरवरी, १९५२ से पहले, यानी सितम्बर अक्टूबर, १९५१ में खत्म हो गया था। रिप्रेजेंटेशन आफ दि पोपल्स एक्ट, १९५१ के सैक्शन ३० के तहत इलैक्शन कमोशन को यह धर्ख्तियार है कि वह किसी कांस्टीच्युएँसी को दावत दे कि वह अपने नुमायन्दे इलैक्ट करे। जहाँ तक हिमाचल प्रदेश और कांगड़ा जिला का ताल्लुक है, वहाँ इलैक्शन कमोशन उस को इस सिलसिले में पहले दावत दे सकता है। अगर सारे

रिप्रेजेंटेशन आफ दि पोपल्स एक्ट का अध्ययन करने के बाद हम इस नतीजे पर पहुँचें या ला मिनिस्टर इस नतीजे पर पहुँचें कि उस में एक ग्रमेंडमेंट की जरूरत है, जिस की वजह से इलैक्शन कमोशन को यह हक हो कि वह हाउस के पूरे तरीके से डिजाल्व होने से पहले हिमाचल प्रदेश और कांगड़ा के वोटर्स को अपने मेम्बर इलैक्ट करने की दावत दे, तो फिर उस एक्ट में उस क्लिफ की ग्रमेंडमेंट हो सकती है। मेरे लायक दोस्त ने इस सैक्शन में जो ग्रमेंडमेंट पेश को है, इस से और पेचीदगी पैदा होगी और वह मसला हल नहीं होगा।

मैं समझता हूँ कि मेरे लायक दोस्त श्री हेमराज इस बिल को विदडा करें और साथ ही साथ मैं ला मिनिस्टर से यह उम्मीद करता हूँ कि हिमाचल प्रदेश और कांगड़ा के मेम्बरों को सरटन राइट्स से जो डिप्राइव किया गया है, वह उस का लाजिमो तौर पर इलाज करें और आज हो इस हाउस में एशोरेंस दें कि वह इस तरीके से इस का इलाज कर रहे हैं।

इन शब्दों के साथ मैं इस बिल के प्रिसिपल की हिमायत करता हूँ और वैसे मैं मानरेबल मूवर से दरश्वास्त करता हूँ कि वह इस को वापस ले लें।

Shri D. C. Sharma (Gurdaspur):
Mr. Chairman, Sir, I feel very sorry
for my hon. friend, Shri Hem Raj.

Some hon. Members: Why?

Shri Hem Raj: I want your sympathy.

Shri D. C. Sharma: Sir, he argued his case on constitutional grounds and legal grounds, and all the learned lawyer Members of this House have seen to it that his Bill should have no legal leg to stand on. So, so far as the legal aspect of this Bill is concerned I do not want to go into it,

because all the legal luminaries in this House have spoken with a different voice.

Shri Sadhan Gupta: What about the literary experts?

Shri D. C. Sharma: But, Sir, I would like to say one thing, that so far as the constitutional propriety of this Bill is concerned there cannot be any two opinions about it. I think this has been conceded by the Members who have spoken before me, though they have done so in a very halting and faint-hearted manner.

The Constitution, Sir, is a dead-letter if you do not give any implementation to it. The question is, how to implement what the intention of the hon. Member is. My guru, Pandit Thakur Das Bhargava put forward a suggestion and that seems to have been favoured by some hon. Members. He said that elections to these Assemblies and to the Lok Sabha should be held sometime in October so that no disability is involved so far as Members from these constituencies are concerned. But I think this also is doing something by means of which we are saddling the Election Commission with more burden than is necessary. I would therefore say that the suggestion made by Shri Hem Raj can be constitutionally valid and can also be legally acceptable. It is also very, very practical. After all, the Constitution does not live in the air and law does not always fly in the sky. The Constitution has to come to the ground and law has also to come to the brass-tacks. All these things have got to be looked at from the practical point of view. Therefore, the suggestion that Shri Hem Raj has put forward is operative without coming into conflict with the fundamental provisions of the Constitution and also without coming into conflict with the broad principles of law. Of course, there can be small principles of law over which we are always fighting.

Shri Narayanankutty Menon (Mukandapuram): Is he supporting the Bill?

The Deputy Minister of Law (Shri Hajarnavis): He is expounding the law.

Shri D. C. Sharma: The suggestion made by Shri Hem Raj should be given effect to. After all, we are going to confer a very, very limited privilege on those persons who may not be returned. A point was made here that those persons may not be returned to the Lok Sabha or the Vidhan Sabha for which the new elections take place. When we are going to confer upon those persons a privilege which is of a very, very limited kind and for a very, very limited period, I think that the best way of removing this disability is to accept this measure in a very, very limited way. I hope there would be no trouble of any kind, and it should be done.

There is another aspect of the question which should be considered. I think these parts of Kangra and some parts of Himachal Pradesh are not the only snow-bound areas of India. If I understand India aright, I think India has also Darjeeling, Shillong and other mountainous parts which are snow-bound. I would like to ask the Election Commission as to what they are doing with regard to those snow-bound areas and those constituencies. I would like to remind the hon. Minister that there are other countries also where there is snow-fall and where there is winter which is much more severe than in our country. I want to know from the hon. Minister what kind of arrangements are made in those countries for holding the elections in those parts.

So far as I know, in England, I think they are able to overcome the contingencies of geography. I cannot understand why the Minister of Law cannot over-ride these disabilities imposed upon us by the contingencies of weather. Wisdom lies in this: we should devise some ways of holding these elections at one and the same time, snow or no snow, good

[Shri D. C. Starma]

weather or bad weather. If that cannot be done, the suggestion put forward by Shri Hem Raj, which is constitutionally valid, legally sound and above all, practical, should be accepted.

श्री० रणवीर सिंह (रोहतक) : समा-पति महोदय, श्री हेम राज जी के संशोधक विधेयक के पीछे जो भाव है, उस की मैं तारीफ करता हूँ, लेकिन मैं समझता हूँ कि शायद वह भी अपने दिल में मानते हैं कि यह कानून बदलने के लिये इस की कोई आवश्यकता नहीं है और वह तो चाहते थे कि यह जो मसला है, वह देश के सामने प्रायः और इस की प्रहमियत सदन को पता चले। जैसा कि मेरे पूर्ववक्ताओं ने कहा है, जहाँ तक राष्ट्रपति और उपराष्ट्रपति के इलेक्शन में खड़ा होने का वास्ता है, वह तो प्रादमी बगैर सदस्य बने भी हो सकता है। मेरे प्रतिद्वंद्वी श्री० हरीराम १९५२ में भी मेरे खिलाफ इलेक्शन में लड़े और १९५७ में भी मेरे खिलाफ इलेक्शन लड़े और दोनों चुनावों में हारे, लेकिन फिर भी वह दोनों दफ्ता राष्ट्रपति के इलेक्शन का चुनाव लड़े। जहाँ तक राष्ट्रपति और उपराष्ट्रपति के चुनाव लड़ने का वास्ता है, वह अधिकार तो हिमाचल प्रदेश और कांगड़ा के बनने वाले मेम्बरों को है, लेकिन उस इलेक्शन में राय देने का हक उन को नहीं है। इसी तरह स्पीकर और डिप्टी स्पीकर के इलेक्शन में भी न तो उन को खड़ा होने का अधिकार है और न ही वोट देने का अधिकार है। मैं समझता हूँ कि जो सन् १९५२ में हुआ, वह प्रायः १९६२ में भी हो सकता है और दस साल के बाद वही १९५२ वाला तजुर्बा दोहराया जा सकता है और दोहराया जाना चाहिये। लेकिन मैं जानता हूँ कि रिप्रेजेंटेशन प्राफ दि पीपल्स एक्ट में तब्दीली आयगी और वह इसलिये कि ज्यों ही हम बम्बई के री-आर्गनाइजेशन बिल को, जो कि इस वक्त हमारे सामने है, पास करेंगे, तो उस

के तहत मौजूदा बम्बई राज्य की जो राज्य-सभा की निगस्तें हैं, उन को बढ़ा कर दो निगस्तें गुजरात को अधिक दी जायेंगी। मैं समझता हूँ कि जिस तरफ श्री हेमराज को ध्यान दिवाना चाहिये था, वह उन्होंने ने नहीं दिलाया, क्योंकि वह बहुत ज्यादा कांस्टीट्यूशनल नुक्ता-ए-निगाह में फँस गये, जिस की यहां के वकील बहुत ज्यादा तारीफ नहीं कर पाये। मेरा मंशा है कि पंजाब में जो ज़िंनों की री-आर्गनाइजेशन हुई है, उस के तहत लाहौर और स्पिती के इनके का एक जिला माना गया है और मैं समझता हूँ कि यह बहुत जरूरी होगा कि जो संशोधक विधेयक हम लाये, उस में यह भी रखा जाये कि पंजाब विधान सभा का जहाँ तक वास्ता है, वहाँ दो सीटें बढ़ाई जायें—एक लाहौर को दी जाये और एक स्पिती को दी जाय। आज चीन ने इस देश के लिये जो खतरा पैदा किया है, उस के नुक्ता-ए-निगाह से भी यह बहुत जरूरी है कि उन के नुमायंदे पंजाब प्रमेम्बनी में आयें। यही नहीं, पंजाब के १८ नुमायंदे पहले इस सदन में होते थे और ५ पैप्स के होते थे और जिस वक्त पंजाब और पैप्स को मिला कर हम ने डोनिमिनेशन की, तो २३ के बजाय २२ मेम्बर कर दिये। मैं चाहता हूँ कि उस का दोबारा २३ कर दिया जाय और लाहौर और स्पिती में भी एक मेम्बर इस सदन में आय। मैं समझता हूँ कि इस वजह से हमें इस कानून में तब्दीली करनी पड़ेगी और जो बिल लाये, उस में इन दोनों चीजों का अवश्य जिक्र हो। जहाँ तक उस की आपत्ति का वास्ता है, मैं समझता हूँ कि उस का तो हल होना चाहिये। सिखों ने दफा जब इरेक्शन का प्रोग्राम बना, तो उस के तहत चुनाव पहले खत्म हो जाना चाहिये था और उस के लिये वे तैयार भी हुए, लेकिन अचानक उस चुनाव को रोक दिया गया और उस चुनाव के प्रोग्राम में फर्क डाल दिया गया। पता नहीं इलेक्शन कमीशन को इस में क्या

मुश्किलात थीं। लेकिन पंडित ठाकुर दास भागव ने जो मुझाव दिया है, मैं समझता हूँ कि उस को मानने में न तो इन्क़्शन कमीशन को कोई ऐतराज होना चाहिये और न ही बिधि मंत्रालय को होना चाहिये।

श्री सि० ना० राबिंस (महासू) :
जनाब चेयरमैन साहब, यह जो बिल हमारे सामने है और जिस को मेरे दोस्त श्री हेम राज जी ने पेश किया है, इस के बारे में मुक़्तलिफ़ कानूनी रायें यहां पर रखी गई हैं। श्री सी० च० धर्मा जी ने कहा है कि दूसरे इलाके भी, जहां पर कि बरफ़ पड़ती है, इस में शामिल कर लिये जाने चाहियें। मैं समझता हूँ कि इस बिल की जो भावना है वह यही है, इस का जो मतलब है, वह यही है कि जिन इलाकों में बरफ़ पड़ती है, समस्त हिमाचल प्रदेश के ऊपर का इलाका है, पंजाब के ऊपर का इलाका है और भारतवर्ष में अगर और कोई ऐसे इलाके हैं जहां बरफ़ पड़ती हो वहां पर इन्क़शन का कौन सा तरीका अपनाया जाय। यह निहायत जरूरी चीज़ है कि वहां के लोगों को, वहां के नुमाइशों को, प्रेजिडेंट, स्पीकर, डिप्टी स्पीकर इत्यादि की इन्क़शन में पूरा हिस्सा मिले। यह उन का अधिकार है, यह उन का हक़ है जोकि उन को मिलना चाहिये और उस हक़ को कायम रखना ही इस बिल का मक़दद है। यह चीज़ है, जोकि इस हाउस को, गवर्नमेंट को, ला डिपार्टमेंट को और इन्क़शन कमीशन को मालूम है। यह चीज़ पंजाब और हिमाचल तक ही सीमित नहीं है बल्कि सभी इलाकों पर लागू होती है जहां कि बरफ़ पड़ती है। यह कहा गया है कि जिन लोगों का इन्क़शन ख़त्म हो चुका है, हाउस डिजॉल्व हो चुका है, उन को यह हक़ नहीं दिया जा सकता है कि वे प्रेजिडेंट, स्पीकर इत्यादि की इन्क़शन में हिस्सा लें और यह चीज़ धरैव हो सकती है। इस के बारे में एक मुझाव पंडित ठाकुर दास

जी ने दिया है जिस पर विचार हो सकता है। एक घटना जो घटित हो चुकी है, मैं आप को बतलाना चाहता हूँ। १९५२ का जो इन्क़शन था, हिमाचल प्रदेश ने उसे अक्टूबर १९५१ में ही ख़त्म कर दिया था और जब वह वहां ख़त्म हो चुका, उस के बाद जा कर तमाम भारतवर्ष में दूसरी जगहों पर इन्क़शन हुआ। इस तरह से अगर कानूनी और कांस्टिट्यूशनली कोई सहूलियत हो सके, मनी-बाउंड एरियाज़ के लिये तो यह बहुत अच्छी बात होगी।

मैं आप को यह भी बतलाना चाहता हूँ कि जहां तक हिमाचल का ताल्लुक है, वहां पर जो बरफ़ानी इलाके हैं, वहां से तमाम लोग बरफ़ के दिनों में मैदानी इलाकों में घा जाते हैं, नीचे घा जाते हैं। दूसरे मुल्कों में बरफ़ के दिनों में इन्क़शन करना सम्भव हो सकता है लेकिन वहां सम्भव नहीं हो सकता है। इस का कारण यह है कि वहां रहने वाले लोग बरफ़ के दिनों में गरम इलाकों में चले जाते हैं अपने कुतबों के साथ और अपनी भेटो-बकरियों के साथ और इनलिये बरफ़ के दिनों में वहां इन्क़शन होना ना-मुम्किन है। उन वाले मिनम्बर-असतूबर में अगर कोई घइचन न हो, तो वहां इन्क़शन करने की तजवीज़ हो जाय, तो बहुत अच्छा होगा और जो मंगा इस बिल का है वह इस तरह से पूरा हो सकेगा और जो समस्या है, उस का समाधान हो सकेगा।

Shri Majumdar: I regret that I have to oppose the Bill, which I do most reluctantly, because so far as the principle of the Bill is concerned, Government are in agreement with it, Constitution having granted the right to vote to a particular Member, he ought not to be deprived of it. But, it will be appreciated by the House that what the Constitution has given, history and geography have denied to those members, history because it

[Shri Hajarnavis]

choose a particular date and geography because on that particular date the place is covered with snow, and the result of it, therefore, is that members come in too late to take part in the various elections to which they are entitled and they go out before the next election is held.

When I began to consider the problem, as I said, with the greatest possible sympathy for the principle underlying the Bill, I was confronted with several difficulties. I will not dilate upon them, because those difficulties have been already expressed by the hon. Members of this House. Which exactly would be the best method of achieving the object is a matter to which we are giving the greatest possible consideration and we hope before the next election we shall come to the House with a solution to this problem. And I can assure the hon. Mover of the Bill that Government acknowledge the deep debt of gratitude which they owe to him for bringing this matter before this House and before the Government in this pointed manner.

But as has been pointed out by hon. Members, Pandit Thakur Das Bhargava and Shri Sadhan Gupta—two hon. Members for whose legal acumen and resourcefulness I have very high regard—probably the solution that the hon. Mover of this Bill has suggested is not quite the correct solution because, as they themselves have said, if the House is dissolved how can hon. Members survive? Article 83(2) of the Constitution states that either by the dissolution of the House or by the expiration of a period prescribed under the Constitution the House ceases to exist. If the House ceases to exist, then I do not think that what the Constitution does not permit to be prolonged can be prolonged by a law made by this House that is to say membership cannot be continued beyond the dissolution of the House. Therefore I regret that in the present form the Bill cannot be accepted.

But I can assure the House that I am deeply grateful to the various hon. Members who have made various suggestions and in particular we shall examine with very great care the suggestion which fell from the hon. Member, Pandit Thakur Das Bhargava, and which has the support of Shri Sadhan Gupta also as to whether those elections cannot under the present law be held earlier pending the other elections. If that could be done without affecting the rights of other hon. Members, I do not think there can be any better solution. I believe with this assurance the hon. Member may withdraw the Bill.

Shri Hem Raj: Mr. Chairman, Sir, I am very thankful to this hon. House and to hon. Members who participated in this debate and sympathised with the aspirations of the hill people. I am grateful that both the Government and the hon. Members who supported the principle of the Bill have appreciated the difficulty and our hardship. As the third general elections are going to take place, I am sure the Government will be bringing forward certain amendments to the Representation of the People Act according to the recommendation of the Election Commission and in the light of the views expressed here will certainly try to solve this difficulty of ours. I am grateful to the Government that they have accepted the principle and I will request the House to grant me leave to withdraw it.

Mr. Chairman: Has the hon. Member the leave of the House to withdraw the Bill?

The Bill was, by leave, withdrawn.

16.54 hrs.

CATHOLIC CHURCH PREMISES AND ECCLESIASTIC ORDER (RESTRICTION OF POLITICAL ACTIVITY) BILL

Shri Nagi Reddy (Anantapur): Mr Chairman, Sir, I am very thankful for the permission given to me to move

this Bill for the consideration of the House which is in the name of Shri T. B. Vittal Rao who, unfortunately, had to be away from Delhi today.

This Bill intends to strengthen and safeguard our secular democracy. In the statement of objects and reasons of this Bill it has been stated that—

"It has been noticed that the Catholic Church and its ecclesiastical personnel are engaging themselves in political activities. This is contrary to the concepts of a secular State. It has become necessary to restrict such political activities in the paramount interests of the secular State. Restriction of such political activities is also provided for by article 25(2) (a) of the Constitution. The Bill seeks to impose minimum restriction."

Therefore this Bill does not put any religious restriction on the Catholic Church. This Bill restricts the political activity of an organised Church which of late has been taking immense interest in the political activities of the country and has tried to put all its weight—and official weight—in the political affairs of this country. We in this country have always believed that these incursions into politics are not only undesirable but are also undemocratic and dangerous to the democratic traditions of our life. Just as in politics we allow individual freedom for every person in the State to join any party or any political faith or programme he likes, so in religion according to our tradition we have always allowed every person to have individual belief and join any religion or any religious belief he believes in. Therefore, with that spirit in mind this Bill is being brought forward to strengthen these basic ideals.

Our tradition in our country with every religion is not to interfere with the political life of the person who holds that religious belief. But it is not so with the Catholic Church. Catholic Church is a dictatorial organisation which intrudes

into every aspect of a person's life from birth to death, from his education to his marriage, from his social life to his political life. There is not a single aspect of the life of a human being which is not touched by the Catholic Church and which is not taken into account when it tries to forcefully influence them in the way in which it wants to. And the life of the Catholic Church in our country is well-known to us. It entered into our country at a time when imperialism was strengthening in the world—I do not want to go into the history of the Catholic Church at this time.

Shri Kottukapally (Moovattupuzha): It came to this country 1800 years back.

Shri Nagi Reddy: I do not want to go into the history of the Catholic Church or any Church at this time. It is known to the country and to the world that in quite a number of eastern countries unfortunately imperialism has followed the church in quite a number of places. Leave it at that. But the question is what are its funds and who activates this organisation in our country? As per the news item which appeared in the *Times of India* on 29th January, 1959 a sum of Rs. 24 crores was the foreign aid to missions for 30 months ending June, 1958. That is the news item which appeared in the *Times of India*—in 1956 Rs. 9.28 crores, 1957 Rs. 9.53 crores, in the first half of 1958 Rs. 5 crores. These were the amounts of money that were received by foreign missionaries in our country, not from within this country but from outside the country. We must also know that the Catholic missions in our country have registered foreign missionaries, something like 4626 as was published by the *Times of India* on 29th January, 1959.

Shri Kottukapally: I question the figure.

Shri Nagi Reddy: It might be 4625 or 4626; it might be even 4628.

Mr. Chairman: He is asking you a question.

Shri Nagi Reddy: Instead of 4626 it might be 4625 or it might be 4627. But in toto it is certainly more than 4500, not one less than that. It looks as though it is being directed by an organisation which is not in India. Its activities are being conducted by an organisation which is not in India; it is being financed by people who are not Indians and its activities naturally will have to be taken note of. That is my first point.

Fortunately or unfortunately I happened to have studied in a Catholic college. That was when I was in Intermediate and I know to my bitter experience how I had been fined in the year 1934 simply because I attended Shri Jawaharlal Nehru's meeting in Madras and I know how I had been fined simply because I would not accept the thesis of the progress about one of the historical personalities in History—Mohammad Bin Tughlaq. They would call him a mad man, and I would say: no, he is a genius. They would say: no, you are wrong, and I would say: yes, I am right. I would say: here is Easwar Prasad who is my guide and authority and they would say: here is Smith who is our guide. And if I do not accept that historical analysis of theirs, naturally I am fined.

17 hrs.

In 1953 my own brother was studying in the Loyola College, and he was fined because he was reading Blitz. This way the Catholic organisation tries to control the mind.

Shri Kottukapally: That is because they are shutting out politics from the college.

Shri Nagi Reddy: In colleges one should not read? I do not know if it has been laid down that papers like the Hindu or Blitz should not be read, but only papers produced by the Catholic Church should be read.

Shri V. P. Nayar (Quilon): And the American Reporter.

Shri Nagi Reddy: If that is the view and the opinion of the Home Ministry, I am sure the Home Ministry would have sent an order or a circular to that effect. That is a different matter.

Let me come to incidents which are within our memory. I know very well that in 1936 when India, under the leadership of Shri Nehru, was agitated as to what was happening in Spain. It was the Catholic Church that ran a propaganda in our country in favour of the dictatorial regime that was to be established at the time of the civil war in Spain. We know it was the Catholic Church that interfered in our struggle for the independence of Goa. This is recent history, I need not go into it.

Shri Maniyangadan (Kottayam): When did the Catholic Church interfere?

Shri Kottukapally: His Holiness the Pope was in favour of Goa being handed over to India.

Shri Nagi Reddy: I hope the hon. Member will have some patience to hear some hard things which are true, but which are not palatable to him.

Shri Maniyangadan: Which are false.

Mr. Chairman: Let the hon. Member continue. Let this hon. Member take notes and reply afterwards. I will give him a chance to speak.

Shri V. P. Nayar: They have established a monopoly for falsehood. Why do they want to share it with us?

Shri Nagi Reddy: I have with me the original of a circular which was circulated by the Bishop of Nellore dated the 20th January, 1955. I am not going to read the political content which concerns the elections of 1955 when the Communist Party was contesting seriously who should rule Andhra in 1955. But there is another portion in this circular which I would

request the Home Minister to particularly take note of. The heading of it is: *Enquiries by Officials or police*, and it reads:

"Recently enquiries have been made by the Government officials in a few headquarters as regards the value of ecclesiastical properties of foreign Missions etc. If any such enquiries are made in your Mission, please ask for a copy of the Order and send this to me personally, do not answer any questions, but refer the Authorities to me."

Do not answer questions if the police or Government officials ask you, that is the order that was passed. Why this secrecy I would like to know about the properties which the foreign Missions have in our country, and why this circular out of the fear that the Government are going to know the truth? Here is the next sentence:

"...I mentioned that the Standing Committee of the Catholic Bishops Conference of India resolved that all the Bishops of India should inform their priests and religious heads that questions from the civil and police authorities should not be answered by them individually on their own responsibility....".

It has been stressed over and over again in this particular circular. I would like to ask why this secrecy, if there is not the fear that the funds that are being used for the political activities will come to the light of day and the public of India will know the truth as to what is happening in the name of religion in this country of ours.

Shri Achar (Mangalore): What is that circular, if I may ask?

Shri Nagi Reddy: I read the name of the circular, and if you do not understand that, I am sorry. It is sent by the Bishop of Nellore to his own agents in different places, and the date is 20th January, 1955.

I am not going to speak about the threats of excommunication before the elections which have been mentioned here in this House quite a number of times, and the actual ex-communications that have taken place after the elections in Kerala. That is a well-known fact. There has not been a single religion in our country, either Hinduism or even Mohammedanism, or any other religions which are almost our own religions in this country, which have ever tried to interfere in the manner in which the Catholic church is trying to interfere in the daily political life of our country.

And still worse, I would like to mention another fact and leave it to my hon. friends to substantiate my charges or to oppose them and give facts that they are not true. Here, I have before me the answer given in a court by Rev. Maria Doss in a cross-examination. He said:

"Should there be a Papal Edict directing the Catholics in India not to vote for the Prime Minister, Pandit Nehru, the Church in India would demand of the laymen of the community strict compliance with that directive of His Holiness. The Catholics are enjoined to have implicit faith in the wisdom of His Holiness, whose decisions they are not expected to question under any circumstances."

Shri V. P. Nayar: Even if he is unholy?

Shri Nagi Reddy: It may be that the Catholics today, as they have been doing at every stage in the history of the country, have been supporting reaction as against the communists. It may be that the ruling party might feel that it is the communists who are facing the music and not they, but the history of the Catholic church in our country is a history of support for reaction as against progress. It is a history of the support against the Congress in the days of British rule. It is a history of support against the

[Shri Nagi Reddy]

Prime Minister's policies, when he was in Opposition to Government at that time. Today also, it is the history of the very same church, to oppose either the communists or the R.S.P. or any other party, if they are for socialism and a socialist state of society. And here is an indication as to what they will do if perchance Prime Minister Nehru were to be more progressive and his Government were to be more progressive than what it is today, or if perchance tomorrow, probably the Swatantra Party grows in stature, and they are faced with the problem as to whom to choose between the Swatantra Party and the Congress, they will say, here is a communist in the garb of a socialist, vote him down, and here is a freedom-lover in the Swatantra Party, and, therefore, vote him up. And here is the possibility a Church taking up the political flag every day and dictating to everyone who is a member of that church that if he does not vote for the Swatantra, he will be excommunicated.

This threat of excommunication, this threat of interference in the political life of the country is one of the most dangerous aspects for the democratic life in our country, and, therefore, I think that religious incursions into politics will have to be put an end to with a stiff hand in order to maintain our democratic tradition, to maintain our secular State and to see that we strengthen the base of democracy and not give in to the threats of this religious fanaticism.

Mr. Chairman: Motion moved....

The Deputy Minister of Food and Agriculture (Shri A. M. Thomas): He has not yet moved the Bill for consideration.

Shri Nagi Reddy: I am sorry.

I beg to move:

"That the Bill to restrict the use of Catholic Church for politi-

cal purposes and the participation of ecclesiastic personnel of the Catholic Church in political activity, be taken into consideration."

Mr. Chairman: Motion moved:

"That the Bill to restrict the use of Catholic Church for political purposes and the participation of ecclesiastic personnel of the Catholic Church in political activity, be taken into consideration."

2 hours have been allotted for this Bill. Out of this, 15 minutes have been taken by the hon. Mover. Therefore, 1 hour and 45 minutes now remain.

Shri Maniyanagan: I oppose the Bill. The hon. Mover of the Bill was saying that the Catholic Church entered this country at a time when imperialism was gaining strength. I do not know whether imperialism was gaining strength in India towards the beginning of the Christian era. Tradition and history have unequivocally established that Christianity took its root in India in 52 A.D. I do not know why the spokesman of the Communist Party says that Catholicism entered India only very recently. Anyhow, I do not want to go into those matters now. He said something about funds being received by foreign missions here and being utilised by agencies over whom India or Indians have no control. I do not quarrel with my hon. friend for being ignorant of the fact that the Catholic Church runs its affairs in India not by funds received from outside alone. May be certain missionaries have received certain funds from outside.

Shri Narayanankutty Menon (Mukandapuram): Here is the authority of the Madhya Pradesh Government.

An Hon. Member: The Neogi Report.

Shri Maniyangadan: I do not deny that certain funds are received.

Shri V. P. Nayar: Does he know how much?

Shri Maniyangadan: Certain funds from voluntary organisations abroad are received by missionaries and they are spent for the purpose by Indians. It is absolutely controlled by Indians and others who are allowed by law in India to function in India. No outside agency has any control over them.

My hon. friend quoted the authority of the Madhya Pradesh Government. That is a report which has been thrashed out very thoroughly. I do not want to go into it now.

Shri V. P. Nayar: Because it is to his disadvantage.

Shri Maniyangadan: My time is limited and I do not want to spend it in dealing with that....

Shri V. P. Nayar: Let him take more time from us.

Shri Maniyangadan: which is not relevant for the purpose of this Bill.

Reference was also made to a circular issued by the Bishop of Vellore. I have not seen the circular.

Shri Nagi Reddy: It is not Vellore, but Nellore.

Shri Maniyangadan: I stand corrected.

It may be that the Bishop of Nellore, not in his capacity as the religious head, might have thought that the order, by whosoever it was issued, was not proper, was illegal, and so he might have advised persons under him to refer it to him.

Shri V. P. Nayar: If he says that, he would be excommunicated.

Shri Maniyangadan: My submission is that if such a direction was given, there is the law of the land.

Shri Nagi Reddy: I see; I never know that!

Shri Maniyangadan: The law of the land would take note of that and take proper action, if there was anything illegal. If he merely brings in a paper and reads it, and that too separated from its context, I cannot answer it. What was the reason why such a circular was issued? All these matters must be gone into. Anyhow, that is not an interference in political matters.

Again, these funds received by the missions are utilised here for running hospitals, educational institutions and other charitable and useful institutions. The benefit thereof is derived by the people in India.

Shri A. M. Thomas: Even Shri Nagi Reddy derived the benefit.

Shri V. P. Nayar: The benefit was that he paid a lot of fine.

Shri Maniyangadan: My hon. friend said something about his college career, that the Catholic Church authorities were opposing Panditji's policies and Congress policies. He referred to some incident in 1936 during his college career. I do not want to remind this House of the activities of the Communist Party in 1942 and other times.

Shri Kodiyar (Quilon—Reserved—Sch. Castes): Is that a justification?

Shri Maniyangadan: It is certainly not a justification. What I submit is that all through the ages, from the very beginning of the Christian Church in India, the Church has never been acting in a way contrary to the interests of India, contrary to the national interest. It has never opposed the Congress. I challenge my hon. friends opposite to point out a single instance where the Church opposed the freedom movement in India.

[Shri Maniyangadan]

It may be true that in colleges and other educational institutions the students might have been asked not to take part in political matters or interfere in political matters. That is the reason why we find discipline maintained in schools and colleges conducted by Christian missionaries. There discipline ought to be maintained and for that purpose they proposed certain things.

There are ever so many institutions in India which fetter students from taking part in politics. Does it mean that they are all against the national movement? After all, the Catholic Church is not bound by any nationality. The Catholic Church is a world-wide one; it is spread throughout the world. It knows no nationality at all. Whichever be the country where it works, it goes according to the rules, customs and traditions of that country.

My friend's Bill seeks to restrict certain activities of the authorities of the Catholic Church. The Roman Catholic religion, as I said, has been here from the very beginning of the Christian era. (Interruption). My submission is that religion is a conception of life according to a certain outlook on the ultimate end of man.

Shri V. P. Nayar: Manifestation of divinity.

Shri Maniyangadan: India is a secular State and the object of the Bill is said to be to safeguard the interest of the secular State that India is. Secular State is not a State in which religion cannot have any influence in life. In fact, it has real impact on human life, including social, economic and political aspects. A secular State as envisaged by our Constitution is a State which restrains itself from interfering with religious questions. It leaves the religious communities alone, supposing they act according to the general rules of the country. The State will never

make any law against any religion as such.

I shall try to explain the position of the Catholic Church with regard to political matters. As I said, the Catholic Church is a universal one and the principles that guide this religion are the same throughout the world. Also, the Catholics do not claim any special privilege based on their religion. It is a spiritual institution acting in a secular polity. The policy of the Church has been, throughout ages, not to interfere in internal politics. I may be permitted to quote one sentence from the instructions issued by the Holy See as early as 1659 to its Ministers. It reads like this.

Shri Nagi Reddy: When?

Shri Maniyangadan: In 1659. It reads:

"Keep entirely aloof from political interests and matters of State so that you never meddle with the administration of civil matters even though requested and even importuned by many prayers to do so."

This is the policy consistently followed by the Church throughout ages and that has been reiterated in the decrees and regulations promulgated by the Plenary Session of the Catholic Archbishops and Bishops of India held at Bangalore in 1950. And the rules promulgated at that session are even now in force. It authoritatively expresses the mind of the Church and the directions are binding on Catholics, priests as well as laymen. I may be permitted to read one or two rules of that.

Rule 75 reads like this:

"The clerics should never dare to employ the authority of their ecclesiastical state in order to promote the cause of political or popular parties."

Shri V. P. Nayar: Ecclesiastical State! Is it?

Shri Maniyangadan: Their ecclesiastical state; that is the position.

Rule 175(1) reads:

"By Canon law it is forbidden to clerics to help in any way internal wars and perturbations of public order."

Therefore, they must abstain from all party politics.

It goes on to say:

"We strictly forbid anyone to talk of political affairs in sermons and instructions, or of any other matter which may offer an occasion of reasonable offence to any one."

But that does not mean that the authorities of the Church are denied their citizens' right . . .

17.20 hrs.

[MR. DEPUTY-SPEAKER in the Chair]

Rule 175 says:

"Priests and the religious men who are citizens of this country shall exercise their political rights and as citizens they may rightly have their political opinions and manifest them as private opinions. But the exercise of this right must never be an impediment to the efficacious exercise of their ministry. Since, however, as priests and shepherds of the people, they have a state in the Church and represent her before the people, they must abstain from giving their name to any political faction."

These are the general rules which bind all the Bishops and priests and other ecclesiastical heads of the Catholic Church. But this does not mean that the Catholic Church is not

concerned with the political movements, doctrines and political affairs. The Church is very much concerned about the movements which are against the laws of God and takes upon itself the duty of advising its adherents from falling into pernicious paths. So, rule 161 says:

"All should remember that it is up to the Bishops to declare to the faithful whether the intention or the activity of any political party offends against God's law or that of the Church, to warn the faithful who are their subjects against the danger of faith and morals or harm to the Church that might result from their adherence to any such party and for this reason even to forbid their membership."

These rules enjoin on the faithful to make suitable investigations before adhering to any political party and as a guiding principle what is enunciated is as follows:

"Among the many associations which according to the above norms to which one may not belong we expressly name the following: (1) Associations or parties which are imbued with the principle of communism or which follow Marxian principles as are materialism, the use of violence in political matters and other similar things which are opposed to the "Divine Law and the doctrine of the Church."

Except this there is no specific prohibition imposed on Catholics by the decrees . . . (Interruptions.) This prohibition is not at all based on political grounds . . . (Interruptions.)

Now coming to the rules of the Church which prohibit its adherents to join organisations which are anti-Christian, I think nobody can object to an organisation, whether it is political or religious or anything else, to

[Shri Maniyangadan]

frame rules by which persons who are working against the objectives of those organisations or the fundamental and basic principles on which that organisation is founded are excluded from it. Will the Communist Party allow anybody who is an anti-communist? . . . (Interruptions.)

Shri Nagi Reddy It is a political party . . . (Interruptions.) The question is whether Hinduism allows anybody who is a communist.

Shri Kodliyan: Will the Government allow any person who is anti-Congress? . . . (Interruptions.)

Shri V. P. Nayar: You cannot interrupt because he is reading.

Shri Maniyangadan: Expulsions from organisations of persons who work against its interests is a natural right of every organisation. And Catholic Church alone is no exception.

A Catholic who gives up completely the Christian faith and becomes an atheist or a rationalist is an apostate. If he becomes a member of a non-Catholic sect, then also he becomes an apostate in a wider sense. According to the Canons of the Church an apostate is *ipso facto* excluded from the communion of the faithful and some of the main effects of this ex-communication are, loss of right to assist at divine services except at preaching, prohibition to receive sacraments, loss of participation at the indulgences, suffrages and public prayers of the Church, prohibition of the legitimate ecclesiastical acts, loss of right to be plaintiff in ecclesiastical trials except according to the norm of Canon 1664, prohibition of fulfilment of ecclesiastical charges and offices, prohibition of acts of jurisdiction and refusal to ecclesiastical burial. These are the main disabilities that an ex-communicated catholic subjects himself to. This ex-communication is not neces-

sarily by any act of the Church, but by the very fact that he renounces the church in the way which I mentioned earlier he gets himself ex-communicated. There is no necessity for any order to be issued saying that he is ex-communicated. That is the doctrine of the Church.

My submission is, there can be no objection to this. I read out the disabilities that a person has to subject himself to by, what is called, ex-communication. Why should anybody get angry about that (Interruption)? It is only catholics who value these things. Does a non-catholic value, what is called, Ecclesiastical Acts? Does he give any value to indulgences? Does he give any value to public prayers by the church (Interruption)? He is by rules excluded from that. My submission is, why should one grumble? He by his very act, knowing what the result would be, has deliberately disobeyed the law. He renounces the church and he wants himself to be a non-catholic (Interruption).

Mr. Deputy-Speaker: Order, order.

Shri V. P. Nayar: He is speaking about the entire church and not catholic church.

Shri Maniyangadan: What does the hon. Member mean by "entire church"?

Shri V. P. Nayar: Is there no church other than catholic church?

Mr. Deputy-Speaker: "Entire church" means, this side also to be included.

Shri V. P. Nayar: The hon. Member does not know that.

Shri Maniyangadan: As I said earlier, ex-communication occurs by the acts of the person concerned. It is brought about by the person himself.

Is it the argument that the canons of catholic church which were in force for several centuries now and which form the basic foundations of the church should be re-written so as to allow persons who profess theories contrary to the tenets of that religion and who actively work against the interests of that religion to continue in the very same religion? Sir, is it not the duty of the authorities of the church to teach their adherents the tenets and dogmas on which the religion is based and to advise them not to join or help any other organisation or political party which accept theories that are contrary to their theories? If that be the case, it is equivalent to saying that the catholic church has not the right to manage its own affairs in matters of religion.

Shri Nagi Reddy: In matters of politics.

Shri Maniyangadan: Sir, I have to read out some portions because there are certain authoritative matters which have to be brought before the House. I was reading out the authoritative rules and declarations made by the church regarding political activities of the catholic church and its office bearers. I respectfully submit, anyone who is capable of viewing things in an impartial way cannot take any objection to that.

Well, there might have been stray instances of deviations from the correct path by some persons; perhaps out of misconceived zeal some persons might have over-stepped the legitimate bounds. But that is no reason to incriminate the whole community. Can any organisation, for the matter of that, political, religious or any other, boast itself saying that none of its members has ever violated its rules? Sir, this is the true aspect.

Now I would like to submit the constitutional aspect. My submission is that this Bill is contrary to the provisions of articles 14, 15, 25 and

26 of the Constitution. In article 26 it is said:

"Subject to public order, morality and health, every religious denomination or any section thereof shall have the right—

* * *

(b) to manage its own affairs in matters of religion;"

Shri Nagi Reddy: These are matters of religion.

Shri Maniyangadan: Yes; these are matters of religion. So, it means that in domestic matters of religious denominations, the legislature cannot interfere unless the denominationalists are managing their affairs in such a way as to interfere with public order and morality and health. Here, the authorities of the church are discharging their duties and those matters are concerned with questions of religion. So, my submission is, how can the legislature interfere in them? The catholics are enjoined not to do certain things which are prescribed in the dogmas. When such acts are committed by a catholic, he, by the very fact of the commission, *ipso facto*, ceases to be a member of the church or is excluded from the communion of the faithful, or, in other words, gets himself excommunicated from the church. This is the only sanction that the church has. By the exclusion from the church, he does not lose anything which he values as important. He consciously violates the doctrine of the church and becomes disentitled to certain things which catholics alone are entitled to. It is only the catholics that value certain things; for example, sacrament, public prayers, office in church, indulgences, ecclesiastical burial, etc. He does not get himself involved in any legal disability. He is not deprived of any rights or privileges which are legally enforceable by a suit of a civil nature. Can he get a decree for compelling a priest to administer sacraments? Or,

[Shri Maniyangadan]

can he, by a decree of the court, get indulgences? Can he compel a priest to accompany the dead body of an apostate to the burial ground? So, no legal right which can be enforced in a court of law is denied to a person who is ex-communicated by the church. Thus, my submission is, this interference in the domestic affairs, in matters of religion of a religious denomination, violates article 26 of the Constitution.

Again, why should the catholic religion alone be made the subject-matter of such a legislation? That is another question. If the object of the Mover is that religious authorities should not exert their influence in political matters, why other religions are left out? There are other religions as well and there are Christian denominations other than catholics. There is the Muslim community, the Hindu community, the Sikh community; and so many other religions there are. Why should this discrimination against one particular religion?

Article 14 of the Constitution guarantees to every person equality before the law, and article 15(1) says:

"The State shall not discriminate against any citizen on grounds only of religion, race, caste, sex, place of birth or any of them."

So, my submission is, this Bill is a clear violation of these provisions. The preamble of the Bill says:

"...to restrict the use of the catholic church for political purposes and the participation of ecclesiastic personnel of the catholic church in political activity."

So, this is a matter which concerns only the catholic religion no other religion. On the grounds of religion alone the catholic church is discrimi-

nated against and so it contravenes the provisions of article 15.

The question arises whether these persons are citizens or not. In the definition, all things are included: vicars, motor-superiors, bishops, archbishops, cardinals, seminaries, etc. All conceivable things are included. It becomes very difficult to distinguish between the two personalities. Take, for example, a bishop in the capacity of a citizen and in the capacity of a bishop. A bishop or a priest in exercise of his rights as a citizen takes part in politics. What the church strictly prohibits is only the use of his position in the church. That is, as priests, and as shepherds of the people, they must abstain from giving their names to any political faction. But as citizens of this country, they shall exercise political rights, and as citizens, they may rightly have their political opinions and manifest them as private opinions. How can that right be taken away by law, because certain persons happen to belong to a particular religion and occupy certain positions in that community? It is in effect denying a citizen's right.

In this connection, I may be permitted to read a paragraph from an election case, wherein also this question was raised by the petitioner. I am reading from Election Law Reports, Volume X, page 397:

"All clerical or spiritual influence is not, however, undue. In the proper exercise of their legitimate influence, priests and clergy may lecture the people, and address their congregations upon the conflicting claims of the different candidates, even in their chapels, for a priest is a citizen and entitled to have his political opinions, and to exercise his legitimate influence legitimately. So also, if priests believe that a spirit of antagonism to their church, religion or clergy has

(Restriction of Political
Activity) Bill

arisen, and recognise in a particular party elements of danger to religion, they may use their influence to assert and maintain due respect to religion, and may express their opinion, in suitable language, that issues of great importance to religion are involved in a pending political contest The Catholic priest has, and he ought to have, great influence. His position has sacred character, etc. ensure it to him.... In the proper exercise of that influence on electors, the priest may counsel, advise, recommend, entreat, and point out the true line of moral duty, and explain why one candidate should be preferred to another, and may, if he thinks fit, throw the whole weight of his character in the scale."

That is the judicial pronouncement in favour of allowing those persons to exercise rights, which this Bill seeks to prevent.

Mr. Deputy-Speaker: Is the hon. Member trying to conclude?

Shri Maniyangadan: This Bill affects a particular community and perhaps I am the only speaker from that community. So, I may be permitted to speak for a few minutes more.

Mr. Deputy-Speaker: He began at 5-10 and he has spoken for 26 minutes already. 2 hours are allowed to the Bill. So, he may finish within 5 minutes.

Shri Maniyangadan: They were speaking of ex-communication before elections and after elections. The mover of the Bill referred to an order of ex-communication, which was referred to earlier by Shri A. K. Gopalan. He referred to a circular. The mover exhibited a photostat copy. At that time I was here. I had not seen it earlier. I got it subsequently. That circular is from our Fr. Bonaventure, O.C.D. to Panikkasseri

Francis. It is in Malayalam. The Photostat copy contains a Malayalam letter. I do not know if Shri Nagi Reddy knows Malayalam, but Shri A. K. Gopalan, who knows Malayalam, misrepresented the facts here. That is not very much surprising. This Panikkasseri Francis belonged to an association called the Carmelite Third Order. Fr. Bonaventure was the Director of that Association. He got information that Panikkasseri Francis was working for the communist party. He sent a circular to Panikkasseri Francis saying, "I have information that you are working for the communist party and unless you inform me that you have stopped that, you will be expelled from this association." What it says in Malayalam is *Moonnam sabhayil ninnum bahishkarikkim* and it has been translated here as "You will be ex-communicated from the Church". This association is called the Carmelite Third Order. It is an association within the Church. It is a voluntary association. It has its own rules and regulations. If those rules are violated a member can be expelled by that association or by the authorities of that association. It is that association and not the Catholic Church. That association has the right to expel a person who works against the interests of the association. That right is exercised here. It says "*Moonnam sabhayil ninnum bahishkarikkim*". But the translation is very funny, namely, "you will be ex-communicated from the Church". They are always terming this expelling from an association as ex-communication. I do not know whether the term ex-communication could be applied to that. For violating the rules of the Communist Party if one member is expelled from the Party . . . (Interruption) I do not know whether it is ex-communication or not. It may be perhaps in the sense if *bahishkarikkim* could be translated as ex-communication. I have no quarrel with that. If *bahishkarikkim* is ex-communication, nobody can quarrel with ex-communication. But this is how things

[Shri Maniyangadan]

are misrepresented to the whole world. Photostat copies are there, but if people who do not know Malayalam throughout India read this they will say, "See, this Catholic Church, this Father Bonaventure for working for the Communist Party issues a circular ex-communicating a person from the Church". But what actually took place is this. My hon. friends were saying that truth will prevail. My submission is that truth is here and it is staring at them.

I will now just refer to the provisions of this Bill. Catholic Church is defined here as follows:

"Catholic Church means a Church, a Chapel, a Shrine or any other place of worship."

that is, building. I do not know what it means. Church premises are also defined. In clause 3 it says:

"Any Catholic Church and/or any church premises or resources shall not be used for any political activity."

If that be so then in a compound belonging to a Church or in a school belonging to a Church perhaps no political meeting will be there. For the matter of that in a Sunday School, because on Sundays some religious activities are going on there, no meeting can be held there. If I go there it will be an offence. Suppose I go to a particular place and there is no suitable building for calling some people I call them there, then it is an offence under this Act. I suppose it is going too much.

Shri Nagi Reddy: But all the same it was true.

Shri A. M. Thomas: Shri Nagi Reddy himself has been benefited.

Shri Narayanankutty Menon: To make it a little mellow.

Shri Maniyangadan: Then it says:

"Any person who uses any Catholic Church or the Church

premises or resources for any political activity in violation of section 3.....

No Cardinal, Archbishop, Bishop, Vicar, Mother-Superior...."

Mr. Deputy-Speaker: Now he should conclude.

Shri Maniyangadan: I have another thing to submit also. Here the authority is vested in the executive to act under this Bill. The judiciary does not at all come into the picture. Suppose there is an offence committed under a law existing in the country then where the offence has been committed and all those matters must be gone into by a judicial authority. But here the judiciary has no function. That is a peculiarity with regard to this Bill. Of course, it may be their speciality to exculde the judiciary as they are always afraid of the judiciary. So my submission is.....

Shri Narayanankutty Menon: Why are you pointing out the hon. Home Minister when you say they are afraid of the judiciary?

Mr. Deputy-Speaker: He is pointing out to the provisions of the Bill and not to the hon. Home Minister.

Shri Narayanankutty Menon: He said 'they' and pointed out to the hon. Home Minister. I think he is afraid of him.

Shri Maniyangadan: My submission is this this Bill is intended mainly to malign a particular community. Of course, the time in which they have brought this Bill is also important. It was introduced at the time when in Kerala the struggle against the Communist Government was going on. They made much at that time that the Catholic Church was doing this and that. Of course, they might have wanted to wreak vengeance and perhaps they might have been dreaming if the Catholic Church could be prevented

**Ecclesiastic Order
(Restriction of Political
Activity) Bill**

from doing all these things they could continue in office for sometime more. Anyhow, my submission is . . .

Shri Narayanankutty Menon: Of course, there was no holy benediction on the Government.

Shri Maniyangadan: As a Catholic, I think. I know more about the rules and regulations of the Church than these people. I have been in the Congress for a long time and no catholic authority has prevented me from doing that. I am not bound by anything. As I said, if anybody by mistake asks me to do a particular thing, I am not bound by that. That is the position. So, my submission is that this Bill should not be passed by this House.

Shri Narayanankutty Menon: Mr. Deputy-Speaker, Sir, my friend tried to make a very eloquent argument to support his case and I am very glad that he made certain very good admissions on behalf of the Catholic Church. We on this side have never been against catholicism or catholic religion. Last time when my hon. friend Shri Prakash Vir Shastri brought forward a Bill which sought to restrict proselytisation by the missionaries, it was we from these benches that opposed the Bill tooth and nail on the ground that it would be a restriction upon the fundamental rights as guaranteed under Article 25 and even then we pointed out that the actual measure that is required to prevent the misuse of religion is a legislation under the second item of Article 25 and not a Bill as had been introduced by my hon. friend.

We do not mix together, Catholics, catholic religion, catholicism and Catholic Church and also certain doings of the Catholic Church in this country as has been experienced by us. My hon. friend tried to put the entire blame on the Communist Party and the Communist benches and that this Bill has been brought with a particular motive. But everything

that is being submitted here from these benches and from any other bench is supported by very weighty documents, the findings of the commissions appointed by the Government and the pronouncements of very high dignitaries who once upon a time were within the fold of the Catholic Church. The question is not whether a fundamental right exists in this country to propagate belief and have faith in the Catholic religion. That is guaranteed and nobody is against that. The whole question is whether in a secular State in the name of a religion the rights of religion and the religious offices could be misused in order to influence the doings of the State in a particular country. Our only objection is this that the religious office and the religious dogma, as has been said by my hon. friend, could not be put into operation in order to interfere in the political activities of the country.

My hon. friend said that in the long history of the Catholic Church, the Catholic Church has been forbidden from entering into the politics. Time forbids me to go into the history of the Catholic Church from the medieval ages onwards, from the date of inquisition, from the days of Palestine wars and upto the very recent period of Spanish civil war. Whatever we have seen here—and we have seen it in India today—wholeheartedly supports the idea that the Catholic Church in this country is directly interfering into the politics.

My hon. friend said that Shri A. K. Gopalan made a mistake on that letter. But could my hon. friend deny the fact that the Archbishop of Trivandrum immediately after the elections issued a circular excommunicating all those who not only voted for the Communist Party and the Revolutionary Socialist Party in Kerala, but those who . . .

Shri Maniyangadan: How could the Archbishop know who voted for the Communist Party?

Shri Narayanankutty Menon: It has come in the papers. It has never been denied. If my hon. friend denies that the Archbishop of Trivandrum had not issued a circular I am prepared to accept that.

Shri Maniyangadan: I do not deny that.

Shri Narayanankutty Menon: But the Bishop of Trivandrum has issued the circular that all those who have worked for the Communist Party and all those who have voted for the Communist Party and the Revolutionary Socialist Party are excommunicated from the Church.

In the name of religion, a large amount of money comes from foreign lands, from unknown sources, and that money is being spent in this country for political purposes, which cannot be denied by anyone.

My hon. friend said that the Catholic Church has its own resources in the country, and a very small amount comes from the foreign countries.

Shri Maniyangadan: No money comes from any unknown source.

Mr. Deputy-Speaker: Shri Menon might be knowing the sources.

Shri Narayanankutty Menon: I know, here are the figures. From January, 1950 to June 1954 a sum of Rs. 29,77,00,000 has come.

The Minister of Transport and Communications (Dr. P. Subbarayan): From where?

Shri Narayanankutty Menon: From January, 1956 to June 1958 a sum of Rs. 23,92,00,000 has come; from July, 1958 to December, 1958, a sum of Rs. 4.84 crores has come; from January, 1959 to April 1959 a sum of Rs. 3,50,00,000 has come into this country.

Dr. Melkote (Raichur): What is the source of your information?

Shri Narayanankutty Menon: The source of information is the hon. Home Minister who gave this answer three times on the floor of the House. The Home Minister also added that the Government did not keep a check upon the spending of this particular money. There is nothing preventing the Catholic Church, when it enters into direct politics, or the Bishops from spending this money for political agitation. It is true that they themselves have laid down certain standards in the books that Catholic priests are forbidden from entering politics or taking sides in politics. That they have decided, and he has quoted that also, but in effect, every Catholic Church especially in Kerala is taking part in the elections. Every Catholic priest is using the pulpit for making propaganda on behalf of a particular political party.

Dr. Gangadhar Siva (Chittoor—Reserved-Sch. Castes): On a point of information, may I ask whether he can show recorded evidence for what he has said with regard to this money affair?

An hon. Member: It is not contested.

Shri Narayanankutty Menon: Regarding the money, it is on the records of this House.

Shri Maniyangadan: I can show record that that is a false allegation because there are judicial pronouncements.

Shri Narayanankutty Menon: Whatever might be the fact, the pulpit has been used by every Church on every Sunday on every election which has come since the Constitution has come into being in order to propagate the ideals of a political party. Secondly, Catholic priests have walked in processions which were organised in order to subvert a legally established Government. They have taken part. In many cases they have issued circulars that the Government had to be removed. In educational institutions they are propagating the ideas

that not only Communism, but anything that is against God, against the Church, is bad, and that they should not vote for a particular political party. I do not grudge if the Catholic schools teach religion. In the religious sphere let them have their say, let dogma prevail, but religion should not be brought into other spheres, and the Bishops and the Pope and the priests should not come in.

I shall bring to the notice of the House the case of Father Mendonza who has been for 29 years in the Jesuit Order in India. Recently he had to renounce the Order and resign from the Catholic fold. In an interview to the press he has given reasons for that.

The first and foremost reason he has given is that he was never allowed to have nationalist thinking or nationalist feelings, and whenever he expressed such feelings especially on the Goan question, the Catholic Bishop tried to prevent him from doing so. Father Mendonza had the courage to pronounce his own views on questions of philosophy. He is a Doctor of Philosophy of the Gregorian University and of the Paris University. For 29 years he was in the Jesuit Order in India, and he was a professor of the St. Xavier College. Because he wrote a thesis on existentialism which is opposed to the conception of the Church, he has been pursued by the Church, and finally an attempt was made to murder him.

In the press statement he has given the following reasons: The Church overlords stoned his house, on rainy days the roof of his house was broken by the Church people, stolen property was planted in his house, electricity was cut, he was stabbed from outside the windows, all his servants were spirited away, and a seductress was sent to his house. He says 1,874 threatening letters were sent to him by the Catholics. He very relevantly points out that he has been in the Jesuit Order for 29 years

and says that the Jesuit Order in India and also in the other countries is the most violent potential political danger to the country, and he gives the reasons for that.

Shri Kottukapally: The Jesuit Society is not like the Communist Party; their way of doing things is entirely different.

Shri Nagi Reddy: We know it is not a political party, but is it a religious institution at all?

Shri Narayanankutty Menon: Whatever might be said, he has been in the Jesuit Order for 29 years and he has come out with a public statement that the Jesuit Order is directly interfering in the politics of India on behalf of a foreign Power. He has quoted instances to show that this Jesuit Order was the all-powerful Order of the Catholic Church to be used as an instrument of political intervention in other countries. And he quotes just one example when an attempt was made to prevent that; he quotes the example of Clement XIV and says that he suppressed this Order because of the unbridled interference of this Order in the political affairs of this country; and within seven days, Pope Clement XIV was poisoned by the Order, and afterwards no Pope has ever endeavoured to suppress this Order. This Jesuit Order is functioning in India.....

Shri Kottukapally: It is functioning in the whole world.

Shri Narayanankutty Menon: And many other Orders and many other Societies like the Catholic Action Society are functioning in India. The fundamental question is this. It is unquestionable that for a Catholic, whatever is issued by the Pope is a dogma. And whenever there is a conflict between the policy of the State and also the Constitution of this country and the decision of this Parliament on the one hand, and the

[Shri Narayanankutty Menon]

Papal Bulls that have been issued on the other, on whose side will his loyalty be? That is a question before every Catholic and the Catholic will answer 'My loyalty stands with Rome and my loyalty is not to this country' whenever there is a conflict, because the Catholic religion preaches whatever instruction issued by the Pope is a dogma. That is the difficulty.

Shri A. M. Thomas: And not to Moscow and Peking.

Ch. Ranbir Singh: What about the loyalty of the communists?

Shri M. C. Jain: Devil quoting scriptures.

Shri Narayanankutty Menon: I know that devils sometimes quote scriptures also.

Shri D. C. Sharma: He is a good devil, and he is quoting good scriptures.

Mr. Deputy-Speaker: Order, order. The conflict between the two must continue always.

Shri Narayanankutty Menon: The second danger from them is in the educational institutions. In many educational institutions, they have taken it as their ideal that where non-Catholic students are there, their purpose is to spread the Catholic religion among them; and they do not hide the fact that the whole purpose of the educational institution is to spread the Catholic religion. Thousands and thousands of examples are there where they have tried to force the Catholic religion upon the non-Catholic students and attempt at forcible proselytisation.

Shri Maniyanadan: Not a single instance.

Shri Narayanankutty Menon: I shall now read out a passage from the report of the Committee appointed by the Madhya Pradesh Government, on

which there was a very eminent chairman, and there were very eminent members. In respect of their recommendations, the Madhya Pradesh Government have today taken a decision, and it was said in the Madhya Pradesh Vidhan Sabha that the decision had been forwarded to the Central Government for approval. That committee have come out with certain conclusions on very fundamental issues.

Firstly, regarding the conflict of loyalty, the committee are unanimous in their opinion, after seeing the example of the Catholic Missions in Madhya Pradesh that whenever there is a conflict of loyalty, they will stand with the Pope and the Church in Rome and not with this country. It has been admitted, according to para. 38 at page 150 of their report, which reads thus:

"In an article 'Christian Awake' it is propounded that 'when there is a conflict of loyalty between Christ and country, the true Christian has necessarily to choose obedience to Christ'."

The Committee further say:

"We have before us a pamphlet entitled 'For Christ and Country' issued in America. We wonder whether the Americans would accept this interpretation of the duty of a Christian in America."

Even in Pre-Independence days, as my hon. friend has said, the Church has interfered in politics; when the national movement was there, the entire Catholic missionaries in Central India were against the independence movement. Even when in certain native States like Udaipur, decisions had to be taken for integration with India, it was the Catholic missionaries there who made the entire movement of subversion subside in order to prevent their integration with India. And the committee has found this out. That is a

direct evidence of how Catholic men and the money that has come from foreign countries have directly taken part in politics.

18 hrs.

Shri Kottakapally: What did the Communist Party do during the Quit India movement?

Shri Narayanankutty Menon: He said that in no case has the Church come in the way of the freedom movement and independence of India. Here is an extract of an article from the organ of the Catholic mission quoted by the Committee:

"Why does India desire that Portugal which has been exercising sovereignty for 400 years over Goa should surrender it? The fact is that a large majority of residents of Goa are quite contented with their present condition. Only a handful of Goans resident in Goa and in India are shouting for the merger of Goa with India. This attitude is not justified and those who are following this course are giving unrighteous lead to India."

The simple point is that Rs. 20 crores a year come from foreign countries. The major part of it is from America, and the next part from Portugal. That money is utilised for printing and disseminating material propagating the case on behalf of Portugal against the Indian freedom movement in Goa. Is this not political interference in the affairs of the country on behalf of a foreign country? Unless this is controlled by Government, unless there is a check on the way in which this money is utilised, there is an inherent danger of the administration of this country being subverted.

I will point out one more example of the conflict of loyalty that takes place. The Planning Commission have decided that in the best interest of India, there should be birth control. In various hospitals, we have birth control clinics.

Shri Maniyangadan: Is it a political activity?

Shri Narayanankutty Menon: A Catholic, according to his conscience, is against the idea of birth control. Therefore, the nurses who are Catholics, who are drawing Government money in hospitals, are prevented from propagating the idea of birth control among those who come to hospitals for birth control operations. This is because the conscience of the Catholics dictates to them against birth control. This is an instance of how they are acting against the policy of the State and the policy of Parliament.

Shri M. C. Jain: Is that also a political activity?

Shri Nagi Reddy: Yes, because they are government servants.

Shri Narayanankutty Menon: It is political activity in the sense that when the Planning Commission and Government have come to a decision in order to prevent increase of population and are enforcing it, these Government servants, because they are Catholics and their conscience dictates them, work against this policy. Is it not sabotaging of the policy of the Government, sabotaging of the economic policy of Government?

Shri M. C. Jain: Acharya Vinoba Bhava is also against it.

Shri Nagi Reddy: But he is not a Government servant.

Shri Narayanankutty Menon: He is not a Government servant.

Therefore, I am saying that on innumerable occasions, in different spheres of the political and democratic life in the country, there is a conflict of loyalty—one is to Rome and the other to India—which comes into play.

Shri Kottakapally: According to their conscience, the loyalty of the Communists is to Moscow.

Shri Narayanankutty Menon: The enormous amount of foreign money

[Shri Narayanankutty Menon]

that comes in is an inherent danger. Therefore, it must be controlled.

Another question is relating to a constitutional right. It was contended that it is the fundamental right of any Indian citizen to belong to any religion, to practise any religion. That fundamental right is there. But our Constitution never presupposes that that fundamental right is unrestricted. Just as the fundamental right envisaged in article 19 is subject to reasonable restrictions as embodied in clause (2) thereof, the Constitution-makers of our country had foreseen a situation where uncontrolled fundamental right for the propagation of religion would be claimed. That was why article 25(2) was enacted. That article says that a law can be made by the legislature of this country in order to restrict the political and economic activities associated with religion. Therefore, nothing unconstitutional can be pointed out in this particular Bill.

It may be that my hon. friends may not agree with the policies which are inherent in the Bill, but as far as the constitutional question is concerned, there is nothing wrong in it. As a matter of fact, when the Madhya Pradesh Government wanted to appoint that Committee, a writ of mandamus was asked for to prohibit the Committee from proceeding with its work. That petition was dismissed with this observation that it was within the right of the Government to appoint a Committee and let it come with its findings.

Shri Maniyanagan: There are also observations regarding the duties of the Committee and their questionnaire.

Shri Narayanankutty Menon: That is there. The only question is whether the Parliament here is competent under the Constitution to enact a law which will restrict, in the interest of the public, in the interest of morality,

interference of a religious order in the political and economic affairs of this country. To that the answer is 'yes' and it has been said by Chief Justice Chagla of the Bombay High Court when the question was referred to it.

So my contention is that there is nothing unconstitutional in the Bill. The only question is the question of policy.

Shri Maniyanagan: Let my hon. friend not misrepresent Chief Justice Chagla. I have also read his observations.

Shri Narayanankutty Menon: My hon. friend can think of nothing but misrepresentation. That pricks his conscience and he says that others are misrepresenting.

My hon. friend made a big claim that being a Catholic, he knows more about these Catholic rules. I being a Communist know about them more because the burden falls upon me. I have seen all the atrocious and ferocious activities of the Catholic Church against the people.

He has not seen because that is coming from the other side. It is coming again today. (Interruption).

An Hon. Member: The cat is out of the bag.

Shri Narayanankutty Menon: Yes; the cat is out of the bag. Not only that. It has come against us today; it will come against Government tomorrow, just as it came in 1955 when the Goa trouble was there. The Catholic Church was on the side of the Portuguese. That is the finding of this Commission. It will come as my friend has pointed out. Now there is no other go because on this side are the Communists and the Socialists and Marxists and the Congress on the other side. Therefore, the better thing is to fall in line so that they may salvage whatever is left.

the country, just as what happened in Spain in 1936. They have done it in Kerala. The Church bells were sounded at that time and the Church organised bandits against the Republican Government of Spain. That has been vouchsafed by our Prime Minister when he visited that country. The same thing will happen when a rightist party comes into power. Therefore, there is danger not to the Communist party but real danger to secular democracy, the democracy of our country. In the interests of that it should be prevented and the Catholic Church should not take part in these affairs.

Before I conclude I will say that the only thing that is said in the Bill is that if the religious order or the religious power is utilised for political purposes and the religious places are misused for political power, his name will be published in the Official Gazette. That is the punishment that is stated in the Bill. It can never be said that it is a very severe punishment. This is required because it has been admitted many times, in the case of the Naga Hill and in many other

cases, that these people interfered in politics. There should be at least a mild check administered by this House to them before it is too late. Otherwise, when things get out of control, it will not be possible, if I may say so, even to prevent this. Therefore, I feel the hon. Home Minister should accept this Bill. (Interruption).

It is not at all injurious. Only if certain things mentioned in the Bill are done his name will be published in the Official Gazette. I hope this House will take a bold lead in order to protect our infant secular democracy. We do not want to turn ourselves into a theocratic State, as it has happened in many other States.

Mr. Deputy-Speaker: The discussion will be continued next time.

Now, the House stands adjourned to meet again at 11 A.M. tomorrow.

18.08 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Saturday, the 2nd April, 1960/Chaitra 13, 1882 (Saka).

[Friday, April 1, 1960/Chaitra 12, 1882 (Saka)]

ORAL ANSWERS TO QUESTIONS:

S.Q. No.	Subject	COLUMNS
1216	Balimela Project in Orissa	9031-32
1217	Water supply to greater Calcutta	9032-35
1218	Western Jamuna canal in Delhi	9035-36
1219	Panel of Engineers for irrigation and power projects	9036-38
1220	Permitting M.P.s. to travel in goods train	9038-41
1221	Buffer Stock of Foodgrains in Orissa	9041-42
1222	Death by railway accident in Sealdah division.	9042-44
1223	World Agriculture Fair	9044-52
1224	Bombay-Baghdad air service	9052
1225	Medical graduates	9053
1227	Production of edible groundnut cake	9053-55
1229	Delhi Electricity Undertaking	9055-57
1231	Delhi Gwalior-Bhopal-Indore Bombay air service	9057-59
1232	Palar river waters dispute	9059-64
1233	Passenger amenities on N.E. railway	9064-68
1234	Closure of quarries at Pakur	9068-69

WRITTEN ANSWERS TO QUESTIONS 9070-9100

S.Q. No.	Subject	COLUMNS
1226	Sharathy valley project	9070
1228	Gram Sevaks and Sevikas	9070-71
1235	Ship repairing facilities	9071
1236	Third thermal plant of D.V.C.	9072
1237	Offences on railways in Punjab	9072
1238	Pipli-Konark road, Orissa	9072-73
1239	Wheat mission	9073
1240	Overseas communications service radio	9073-74
1241	Medical colleges at Roh-tak and Chandigarh	9074
1242	Sewage overflowing into Jamuna	9074-75

WRITTEN ANSWERS TO QUESTIONS—contd

U.S.Q. No.	Subject	COLUMNS
1652	Tungabhadra High level canal scheme.	9075-77
1653	Minor irrigation in Tripura	9077
1654	Road accidents in Delhi	9078-79
1655	Overbridge at Jangaon	9079
1656	Visakhapatnam port	9079
1657	Development of Indigenous system of medicine in Andhra Pradesh.	9079-80
1658	Forest development in Andhra Pradesh	9080
1659	Advance pay to P&T staff of flood affected areas	9081-81
1660	Central Nursing service	9081
1661	C.D. programme in Andaman and Nicobar Islands	9081-83
1662	Thefts on C. Railway	9083
1663	Electrification of Manmad-Kachigauda section	9083-84
1664	Accidents on Secunderabad division	9084
1665	Ticketless travel	9084-85
1666	Pay Commission Report in respect of railways.	9085
1667	Godowns in Himachal Pradesh	9086
1668	Pachyots in Himachal Pradesh	9086
1669	Forests in Himachal Pradesh	9086-87
1670	Ship-building	9087
1671	Nagar canal project in Himachal Pradesh.	9088
1672	Andaman timber	9088-90
1673	Railway sleepers	9090
1674	Recruitment of women on railways	9090-91
1675	Central oil seeds committee	9091
1676	Chittaranjan Locomotive Works	9091-92
1677	Co-operative Farming	9092
1678	Medical colleges	9093-95
1679	Drugs and Magic remedies Act.	9095-96
1680	U.N. Mission report on community development	9096
1681	Snowden State Hospital, Simla	9096-97
1682	Ware-houses in Madhya Pradesh	9097-98
1683	Construction of bridges in Manipur	9099

WRITTEN ANSWERS TO QUESTIONS—contd.

U.S.Q. Subject COLUMNS
No.

1684 Cross-walk signals in Delhi 9099-9100

1685 Railway out-agencies in Bihar 9100

PAPERS LAID ON THE TABLE 9100-01

A copy of each of the following papers was laid on the Table:

- (i) Statement regarding accident which occurred on the 19th December, 1959 in the Nizamuddin trunk sewer resulting in the death of four persons.
- (ii) Report of the Committee appointed to investigate the collapse of sewer excavation near Nizamuddin on 19th December 1959.
- (iii) Resolution passed by the water Supply and Sewage Disposal Committee of the Municipal Corporation of Delhi.

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE 9101-02

Shri Bhaurao Krishnarao Gaikwad called the attention of the Minister of Home Affairs to the reported obstruction to the Scheduled Caste people in drawing water from a public well in village Hasthsal, Delhi.

The Minister of State in the Ministry of Home Affairs (Shri Datar) made a statement in regard thereto.

STATEMENT BY MINISTER 9102

The Minister of Defence (Shri Krishna Menon) made a statement correcting the reply given on the 24th February, 1960 to a Supplement-

STATEMENT BY MIN- ISTER—contd.

COLUMNS

tary by Shri Hem Barua on Starred Question No. 348 regarding Purchase of Ammunition.

MOTION TO REFER THE BILL TO JOINT COM- MITTEE ADOPTED 9102-85

Further discussion on the motion to refer the Bombay Reorganisation Bill, 1960 to a Joint Committee was concluded and the motion was adopted.

REPORT OF COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS —ADOPTED 9106

Sixty-first Report was adopted

PRIVATE MEMBER'S BILL INTRODUCED 9187

The Contempt of Courts Bill, by Shri B. Das Gupta.

PRIVATE MEMBER'S BILL WITHDRAWN 9187-9216

Further discussion on the Motion to consider the Representation of the People (Amendment) Bill by Shri Hem Raj concluded. The Bill was withdrawn by leave of Lok Sabha.

PRIVATE MEMBERS' BILL UNDER CONSIDERATION 9218-56

Shri Nagi Reddy moved that the Catholic Church Premises and Ecclesiastical Order (Restriction of Political Activity) Bill be taken into consideration. The discussion was not concluded.

AGENDA FOR SATURDAY, APRIL 2, 1960/CHAITRA 13, 1882 (SAKA)—

Discussion on Demands for Grants in respect of the Ministry of Community Development and Co-operation.